

Emergency

UNDER THIS PROVISION, A RULE MAY BE MADE, AMENDED, OR RESCINDED WITHOUT GOING THROUGH ALL THE NORMAL PROCEDURAL STEPS, BUT *ONLY IF* THE STATE AGENCY—

- Finds that an immediate danger to the public health, safety, or welfare requires emergency action; or
- The rule is necessary to preserve a compelling governmental interest that requires an early effective date; and
- Follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; and
- Follows procedures which comply with protections extended by the *Missouri* and *United States Constitutions*; and
- Limits the scope of such rule to the circumstances creating the required emergency action.

The agency should explain in simple terms what has created the emergency or need for quick action, such as new statutes, budget cuts, court cases, or federal regulatory changes. The agency should explain what harm or consequences will happen if the emergency action is not taken.

At the time of filing, the agency must file concurrently with the Office of the Secretary of State and the Joint Committee on Administrative Rules the text of the rulemaking, together with very specific facts, reasons, and findings which support the agency's conclusion that they have fully complied with the requirements of section 536.025.1, RSMo 2000 (set out above); if the agency finds the rule is necessary to preserve a compelling governmental interest, the agency shall certify, in writing, the reasons therefore.

Emergency rules filed under the provisions of section 536.025.1(2), RSMo 2000 (best calculated to assure fairness . . .), shall be published in the *Missouri Register* as soon as practicable after the filing thereof. It is the responsibility of the Office of the Secretary of State to review the filing for compliance with the requirements for publication and adoption established in the statutes. In the event the Office of the Secretary of State determines such proposed material does not meet those requirements, this office, according to statutory authority, SHALL NOT PUBLISH. The secretary of state will inform the agency of his/her determination and offer a chance to either withdraw the emergency rule or have it published as a proposed rule (thus going through the normal procedural course rather than the emergency course).

If the Joint Committee on Administrative Rules has any comments or recommendations, it will furnish those to the Administrative Rules Division, and we will publish the same in the *Missouri Register*.

The Joint Committee on Administrative Rules may also refer comments and recommendations to the appropriations and budget committees of the Missouri House and Senate for further action.

Any emergency rule is subject to judicial review.

Emergency

An emergency rule adopted under the provisions of this section shall clearly state the interval during which it will be in effect. No emergency rule shall be in effect longer than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer.

Emergency rules are not renewable, nor may an agency adopt consecutive emergency rules having substantially the same effect; however, the agency may adopt an identical proposed rule under normal rulemaking procedures.

A rule adopted under the provisions for **emergency rules** may be effective not less than ten (10) days after the filing thereof in the Office of the Secretary of State, or at such later date as specified by the rule—and may be terminated at any time by filing a final order fixing the date of termination. This final order shall also be published in the *Missouri Register* as soon as practicable.

Time line for emergency rules

An emergency rule is filed with the Joint Committee on Administrative Rules and the Administrative Rules Division, Office of the Secretary of State on the same day. It may become effective as early as ten (10) days after filing or any time after that as indicated in the emergency statement and the history of the rule.

When the emergency rule becomes effective, it may remain effective for one hundred eighty (180) days. To calculate the expiration date, use a Julian day numbered calendar, add one hundred seventy-nine (179) to the day the rule becomes effective to determine the latest day it expires. The number one hundred seventy-nine (179) is used because we count the first day the rule is effective plus one hundred seventy-nine (1+179) to determine the one hundred eighty (180) days. If you wish the rule to expire sooner, you may elect to choose an earlier date.

There is also a provision that allows a rule to be effective for up to thirty (30) **legislative days** if that is a longer period of time than the one hundred eighty (180) days. This would apply from approximately the end of March until the first of August. See section 536.025.7, RSMo 2000, for an explanation of how to count legislative days. Remember, when the thirty (30) legislative day option is selected, the rule may remain effective until sometime in either January or February if the effective date includes any legislative days in April or May of the previous legislative session. (See Calendars and Time Lines, page 5.07A.)

When determining the expiration date, check the time line to determine when your proposed rule will take effect. If necessary, you may wish to adjust the effective date in order that a gap does not occur between the end of the emergency rule and the effective date of the proposed rule.

Section 536.025.9, RSMo 2000, provides for **termination at any time** by filing an order fixing the date of such termination.

Emergency Rule

Contents of an Emergency Rule:

Example

Step 1—Header, centered, contains the—

Title number—NAME OF DEPARTMENT
Division number—Name of Division
Chapter number—Name of Chapter

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 750—Painless Rulemaking

EMERGENCY RULE

Type of rulemaking, centered

15 CSR 30-750.030 Lapsed Rules Cannot Be Promulgated

Rule number and title

If you are doing a new rule, check with the Administrative Rules Division for verification of the rule number before you use that specific number.

Step 2—Write an original Purpose statement giving a brief explanation of the reasons this rule is needed.

PURPOSE: This rule clarifies that rules not filed within ninety (90) days after the public comment period expires cannot be promulgated.

Step 3—Write the Emergency Statement. It must include—

- Either an immediate danger to the public health, safety, or welfare OR a compelling governmental interest. Give a detailed explanation of the reasons.
- Procedures to assure fairness to all persons and parties.
- Protections extended by the *Missouri* and *United States Constitutions*.
- Limiting the scope to the emergency circumstances.
- Reasons the agency is filing the rule.
- The consequences that would occur if an emergency rule is not enacted.
- The filing date, effective date, and expiration date.

*EMERGENCY STATEMENT: This emergency rule informs state agencies and the public that lapsed rules cannot be promulgated. This emergency rule is necessary to protect the public health, safety, and welfare as some agencies may try to promulgate lapsed rules and thus leave the populace unregulated in an important field that should be regulated. As a result, the Administrative Rules Division finds an immediate danger to the public health, safety, and/or welfare and a compelling governmental interest, which requires this emergency action. A proposed rule, which covers the same material, is published in this issue of the **Missouri Register**. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri** and **United States Constitutions**. The Administrative Rules Division believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 20, 2008, becomes effective December 30, 2008, and expires June 27, 2009.*

Emergency Rule

Example—continued

Step 4—Write the text of the rule.



(1) Any proposed rule, amendment, or rescission must have the final order of rulemaking for such rulemaking filed with the Administrative Rules Division of the Office of the Secretary of State within ninety (90) days of the last day of the comment period.

(2) Any proposed rule, amendment, or rescission whose final order of rulemaking is filed more than ninety (90) days after the end of the comment period shall be deemed lapsed and shall not be published as a final order of rulemaking.

(3) In order to promulgate a rule that has lapsed, the entire rule-making process must be begun again.

Step 5—Add the authority section with the current RSMo date, followed by the filing date, effective date, and expiration date. Please remember that the emergency rule is effective for ONLY one hundred eighty (180) days or thirty (30) legislative days and is NOT renewable.



*AUTHORITY: section 536.023, RSMo Supp. 2008. Emergency rule filed Dec. 20, 2008, effective Dec. 30, 2008, expires June 27, 2009. A proposed rule covering this same material is published in this issue of the **Missouri Register**.*

NOTE: The history of an emergency rule goes into the authority section of the *Code of State Regulations*, but the text of the emergency rule is not printed in the *Code of State Regulations*.

Emergency Rule

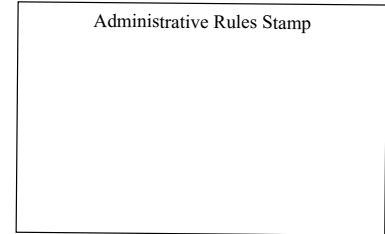
Step 6—Prepare the rule packet:

A. Fill out the rule transmittal sheet

- This section gives information to the Administrative Rules Division staff about your rule and the people in your agency who work with rules
- This section describes the type of rulemaking action and dates necessary for filing.

Example

ROBIN CARNAHAN
Secretary of State
Administrative Rules Division



RULE TRANSMITTAL

Rule Number _____

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

Content _____ Phone _____ FAX _____

E-mail address _____

Data entry _____ Phone _____ FAX _____

E-mail address _____

Interagency mailing address _____

TYPE OF RULEMAKING ACTION TO BE TAKEN

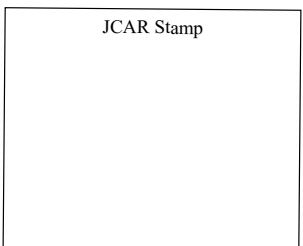
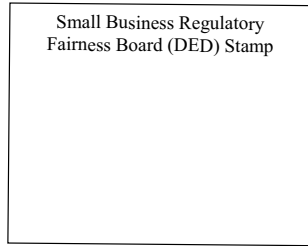
- Emergency rulemaking, include effective date _____
- Proposed Rulemaking
- Withdrawal Rule Action Notice In Addition Rule Under Consideration
- Order of Rulemaking

Effective Date for the Order

Statutory 30 days OR Specific date _____

Does the Order of Rulemaking contain changes to the rule text? NO

YES— LIST THE SECTIONS WITH CHANGES, including any deleted rule text:



Emergency Rule

B. Certification or cover letter on agency letterhead—This letter must certify that the attached is a complete and accurate copy of the emergency rulemaking and must include the corresponding rule number. The director of the department or his/her designee must sign this letter.

Example

Address letter to the secretary of state

Date:

Robin Carnahan
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

List the rule number and title of the rule

Dear Secretary Carnahan,

RE: *Rule Number and Title*

Section 536.025.2, RSMo 2000, requires compelling governmental interest to be certified in writing

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the emergency rule lawfully submitted by *name of your department, board or commission*.

Rulemaking authority

I further certify that this emergency rule is supported by a compelling governmental interest, the reasons for which are stated in the emergency statement.

Name of the person the Administrative Rules staff may call

Statutory Authority: section(s) _____
your agency's statute for rulemaking

Authorized signature of the department director, or his/her designee whose Delegation of Authority form is on file in the Office of the Secretary of State, Administrative Rules Division.

If there are any questions regarding the content of this rule, please contact:

Name
Address
Phone number
Email
Signature of proper authority
Name and title of proper authority
Name of department, board or commission

Emergency Rule

Step 7—Prepare Word version of rulemaking and send it as an email attachment to rules@sos.mo.gov and be sure to put Rulemaking at the beginning of the subject. In lieu of sending an email Word attachment, you may prepare a diskette or CD copy of your rule formatted in Microsoft Word for the Administrative Rules staff.

Step 8—Filing of an emergency rule

- A. Now that you have the original documents prepared, make five (5) copies of all documents, as well as any copies you will need for your own records.
- B. Prepare packets of the original and the correct number of copies for the Joint Committee on Administrative Rules and the Office of the Secretary of State.
- C. Take the original (which you will keep) and all copies to the Joint Committee on Administrative Rules, Capitol Building, B-8, Jefferson City, Missouri. JCAR will stamp all copies and keep one (1) copy.
- D. Bring four (4) sets (stamped original and three (3) copies) for filing to the Administrative Rules Division in Room 168 of the James C. Kirkpatrick State Information Center, 600 W. Main St., Jefferson City, Missouri. Remember to send a Word version of rulemaking as an email attachment to rules@sos.mo.gov **prior** to filing the paper copies. If you do not send an email Word attachment prior to filing, please bring a diskette or CD copy of your rulemaking with your paper copies.



Emergency Amendment

Contents of an Emergency Amendment

Example

Step 1—Header, centered, contains the—

Title number—NAME OF DEPARTMENT

Division number—Name of Division

Chapter number—Name of Chapter

Title 15—ELECTED OFFICIALS

Division 30—Secretary of State

Chapter 750—Painless Rulemaking

EMERGENCY AMENDMENT

Type of rulemaking, centered

Rule number and title

15 CSR 30-750.003 Filing Requirements. The division is amending section (2).

PURPOSE: This amendment adds the requirement for filing a third copy with an emergency rulemaking.

Step 2—Add a descriptive sentence following the title that lists the section or sections being amended.

Step 3—Write a Purpose statement giving a brief explanation of the reasons this amendment is needed.

Step 4—Write the Emergency Statement. It must include—

- Either an immediate danger to the public health, safety, or welfare OR a compelling governmental interest. Give a detailed explanation of the reasons.
- Procedures to assure fairness to all persons and parties.
- Protections extended by the *Missouri* and *United States Constitutions*.
- Limiting the scope to the emergency circumstances.
- Reasons the agency is filing the amendment.
- The consequences that would occur if an emergency is not enacted.
- The filing date, effective date, and expiration date.

*EMERGENCY STATEMENT: This emergency amendment informs state agencies that rules filed as emergencies must have an extra copy to be properly filed with the Office of the Secretary of State. This emergency amendment is necessary to protect the public health, safety, and welfare as some agencies may try to file rules without the correct amount of copies not realizing that this is could jeopardize the rulemaking process. As a result, the Administrative Rules Division finds an immediate danger to the public health, safety, and/or welfare and a compelling governmental interest, which requires this emergency action. A proposed amendment, which covers the same material, is published in this issue of the **Missouri Register**. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri** and **United States Constitutions**. The Administrative Rules Division believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed December 20, 2008, becomes effective December 30, 2008, and expires June 27, 2009.*

Emergency Amendment

Example—continued

Step 5—Write the text of the amendment. Current rule text is available at: www.sos.mo.gov/adrules/agency/.

NOTE: All text indented under the subsection must be submitted with your amendment.

Step 6—Add the authority section with the current RSMo date, followed by the filing date, effective date, and expiration date. Please remember that the emergency amendment is effective for ONLY one hundred eighty (180) days or thirty (30) legislative days and is NOT renewable.

NOTE: The history of an emergency amendment goes into the authority section of the *Code of State Regulations*, but the text of the emergency amendment is not printed in the *Code of State Regulations*.

(2) When filing an emergency rule, emergency amendment, emergency rescission, or emergency termination, four (4) copies will be required for filing (three (3) copies and an original).

*AUTHORITY: section 536.023, RSMo Supp. 2008. Original rule filed March 25, 1997, effective Sept. 30, 1997. Emergency amendment filed Dec. 20, 2008, effective Dec. 30, 2008, expires June 27, 2009. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.*

Emergency Amendment

Step 7—Prepare the rule packet:

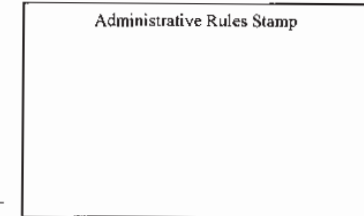
A. Fill out the transmittal sheet

- This section gives information to the Administrative Rules Division about your amendment and the people in your agency who work with rules.
- This section describes the type of rulemaking action and dates necessary for filing.

Example

ROBIN CARNAHAN
 Secretary of State
 Administrative Rules Division

RULE TRANSMITTAL



Rule Number _____

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

Content _____ Phone _____ FAX _____
 E-mail address _____

Data entry _____ Phone _____ FAX _____
 E-mail address _____

Interagency mailing address _____

TYPE OF RULEMAKING ACTION TO BE TAKEN

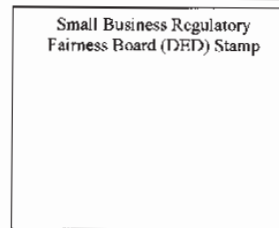
- Emergency rulemaking, include effective date _____
 Proposed Rulemaking
 Withdrawal Rule Action Notice In Addition Rule Under Consideration
 Order of Rulemaking

Effective Date for the Order

Statutory 30 days OR Specific date _____

Does the Order of Rulemaking contain changes to the rule text? NO

YES— LIST THE SECTIONS WITH CHANGES, including any deleted rule text:



Emergency Amendment

B. Certification letter or cover letter on agency letterhead—
This letter must certify that the attached is a complete and accurate copy of the emergency rulemaking and must include the corresponding rule number. The director of the department or his/her designee must sign this letter.

Example

Address letter to the secretary of state

Date:
Robin Carnahan
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

List the rule number and title of the rule

Dear Secretary Carnahan,

RE: *Rule Number and Title*

Section 536.025.2, RSMo, requires compelling governmental interest to be certified in writing

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the emergency amendment lawfully submitted by *name of your department, board or commission*.

Rulemaking authority

I further certify that this emergency amendment is supported by a compelling governmental interest, the reasons for which are stated in the emergency statement.

Name of the contact person the Administrative Rules Division staff may call

Statutory Authority: section(s) your agency's statute for rulemaking
If there are any questions regarding the content of this rule, please contact:

Authorized signature of the department director, or his/her designee whose Delegation of Authority form is on file in the Office of the Secretary of State, Administrative Rules Division.

Name
Address
Phone number
Email
Signature of proper authority
Name and title of proper authority
Name of department, board or commission

Emergency Amendment

Step 8—Prepare Word version of rulemaking and send it as an email attachment to rules@sos.mo.gov and be sure to put Rulemaking at the beginning of the subject. In lieu of sending an email Word attachment, you may prepare a diskette or CD copy of your amendment formatted in Microsoft Word for the Administrative Rules staff.

Step 9—Filing of an emergency amendment

- A. Now that you have the original documents prepared, make five (5) copies of all documents, as well as any copies you will need for your own records.
- B. Prepare packets of the original and the correct number of copies for the Joint Committee on Administrative Rules and the Office of the Secretary of State.
- C. Take the original (which you will keep) and all copies to the Joint Committee on Administrative Rules, Capitol Building, B-8, Jefferson City, Missouri. JCAR will stamp all copies and keep one (1) copy.
- D. Bring four (4) sets (stamped original and three (3) copies) for filing to the Administrative Rules Division in Room 168 of the James C. Kirkpatrick State Information Center, 600 W. Main St., Jefferson City, Missouri. Remember to send a Word version of rulemaking as an email attachment to rules@sos.mo.gov **prior** to filing the paper copies. If you do not send an email Word attachment prior to filing, please bring a diskette or CD copy of your rulemaking with your paper copies.



Emergency Rescission

Contents of an Emergency Rescission

Example

Step 1—Header, centered, contains the—

Title number—NAME OF DEPARTMENT
Division number—Name of Division
Chapter number—Name of Chapter

Title 15—ELECTED OFFICIALS

Division 30—Secretary of State

Chapter 750—Painless Rulemaking

EMERGENCY RESCISSION

Type of rulemaking, centered

15 CSR 30-750.005 Filing Rules by ATMS. This rule required rules to be submitted in ATMS format on the mainframe.

Rule number and title

PURPOSE: This rule is being rescinded as ATMS no longer exists.

Step 2—Add the original rule purpose in past tense following the rule title.

Step 3—Write a Purpose statement giving a brief explanation of the reason this rule is no longer needed.

EMERGENCY STATEMENT: This emergency rescission informs citizens that ATMS is no longer available for use. This emergency rescission is necessary to protect the public health, safety, and welfare since it is not possible to leave the populace unregulated in an important field that should be regulated. As a result, the Administrative Rules Division finds an immediate danger to the public health, safety, and/or welfare and a compelling governmental interest, which requires this emergency action. A proposed rescission, which covers the same material, is published in this issue of the **Missouri Register**. The scope of this emergency rescission is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri** and **United States Constitutions**. The Administrative Rules Division believes this emergency rescission is fair to all interested persons and parties under the circumstances. This emergency rescission was filed December 20, 2009, becomes effective December 30, 2009, and expires June 27, 2010.

Step 4—Write the Emergency Statement. It must include—

- Either an immediate danger to the public health, safety, or welfare OR a compelling governmental interest. Give a detailed explanation of the reasons.
- Procedures to assure fairness to all persons and parties.
- Protections extended by the *Missouri* and *United States Constitutions*.
- Limiting the scope to the emergency circumstances.
- Reasons the agency is filing the rescission.
- The consequences that would occur if an emergency is not enacted.
- The filing date, effective date, and expiration date.

Emergency Rescission

Example—continued

Step 5—Add the authority section as presently shown in the *Code*, followed by the filing date, effective date, and expiration date. Please remember that the emergency rescission is effective for ONLY one hundred eighty (180) days or thirty (30) legislative days and is NOT renewable.

NOTE: The history of an emergency rescission goes into the authority section of the *Code of State Regulations*.



*AUTHORITY: section 536.023, RSMo 2000. Original rule filed July 15, 1976, effective July 25, 1976. Amended: Filed Aug. 1, 1982, effective Dec. 4, 1982. Amended: Filed Jan. 16, 1985, effective July 30, 1985. Emergency rescission filed Dec. 20, 2008, effective Dec. 30, 2008, expires June 27, 2009. A proposed rescission covering this same material is published in this issue of the **Missouri Register**.*



Emergency Rescission

Step 6—Prepare the rule packet:

A. Fill out the transmittal sheet

- This section gives information to the Administrative Rules Division staff about your rule and the people in your agency who work with rules.
- This section describes the type of rulemaking action and dates necessary for filing.

Example

ROBIN CARNAHAN
 Secretary of State
 Administrative Rules Division

RULE TRANSMITTAL

Rule Number _____

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:
 Content _____ Phone _____ FAX _____
 E-mail address _____

Data entry _____ Phone _____ FAX _____
 E-mail address _____

Interagency mailing address _____

TYPE OF RULEMAKING ACTION TO BE TAKEN

Emergency rulemaking, include effective date _____

Proposed Rulemaking

Withdrawal Rule Action Notice In Addition Rule Under Consideration

Order of Rulemaking

Effective Date for the Order

Statutory 30 days OR Specific date _____

Does the Order of Rulemaking contain changes to the rule text? NO

YES— LIST THE SECTIONS WITH CHANGES, including any deleted rule text:

Administrative Rules Stamp

Small Business Regulatory
 Fairness Board (SBRFB) Stamp

JCAR Stamp

Emergency Rescission

B. Certification letter or cover letter on agency letterhead—
This letter must certify that the attached is a complete and accurate copy of the emergency rescission and must include the corresponding rule number. The director of the department or his/her designee must sign this letter.

Address letter to the secretary of state

List the rule number and title of the rule

Section 536.025.2, RSMo 2000, requires compelling governmental interest to be certified in writing

Rulemaking authority

Name of the contact person the Administrative Rules staff may call

Authorized signature of the department director, or his/her designee whose Delegation of Authority form is on file in the Office of the Secretary of State, Administrative Rules

Division

Example

Date:

Robin Carnahan
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan,

RE: *Rule Number and Title*

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the emergency rescission lawfully submitted by *name of your department, board or commission*.

I further certify that this emergency rescission is supported by a compelling governmental interest, the reasons for which are stated in the emergency statement.

Statutory Authority: section(s) _____
your agency's statute for rulemaking

If there are any questions regarding the content of this rescission, please contact:

Name

Address

Phone Number

Email

Signature of proper authority

Emergency Rescission

Step 7—Prepare Word version of rulemaking and send it as an email attachment to rules@sos.mo.gov and be sure to put Rulemaking at the beginning of the subject. In lieu of sending an email attachment, you may prepare a diskette or CD copy of your rescission formatted in Microsoft Word for the Administrative Rules staff.

Step 8—Filing of an emergency rescission

- A. Now that you have the original documents prepared, make five (5) copies of all documents, as well as any copies you will need for your own records.
- B. Prepare packets of the original and the correct number of copies for the Joint Committee on Administrative Rules and the Office of the Secretary of State.
- C. Take the original (which you will keep) and all copies to the Joint Committee on Administrative Rules, Capitol Building, B-8, Jefferson City, Missouri. JCAR will stamp all copies and keep one (1) copy.
- D. Bring four (4) sets (stamped original and three (3) copies) for filing to the Administrative Rules Division in Room 168 of the James C. Kirkpatrick State Information Center, 600 W. Main St., Jefferson City, Missouri. Remember to send a Word version of rulemaking as an email attachment to rules@sos.mo.gov **prior** to filing the paper copies. If you do not send an email attachment prior to filing, please bring a diskette or CD copy of your rulemaking with your paper copies.



Emergency Termination

Contents of an Emergency Termination

Example

Step 1—Header, centered, contains the—

Title number—NAME OF DEPARTMENT

Division number—Name of Division

Chapter number—Name of Chapter

Type of rulemaking, centered

Title 15—ELECTED OFFICIALS

Division 30—Secretary of State

Chapter 750—Painless Rulemaking

**ORDER TERMINATING EMERGENCY
AMENDMENT**

Step 2—Write your order terminating the emergency amendment. It must include the—

- Rulemaking statute.
- Date the amendment will be terminated.
- Title of the rule.
- Publication date and page numbers.

By the authority vested in the Secretary of State under section 536.023, RSMo Supp. 2009, the secretary hereby terminates an emergency amendment effective January 7, 2010, as follows:

15 CSR 30-750.003 Filing Requirements is terminated.

A notice of emergency rulemaking containing the text of the emergency amendment was published in the *Missouri Register* on *date of publication* (*volume* MoReg *page number*).

NOTE: The history of an emergency termination goes into the authority section of the *Code of State Regulations*.

Emergency Termination

Step 3—Prepare the rule packet:

A. Fill out the transmittal sheet

- This section gives information to the Administrative Rules Division about your rule and the people in your agency who work with rules.
- This section describes the type of rulemaking action and dates necessary for filing.

Example

ROBIN CARNAHAN
 Secretary of State
 Administrative Rules Division
 RULE TRANSMITTAL

Administrative Rules Stamp

Rule Number _____

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

Content _____ Phone _____ FAX _____

E-mail address _____

Data entry _____ Phone _____ FAX _____

E-mail address _____

Interagency mailing address _____

TYPE OF RULEMAKING ACTION TO BE TAKEN

- Emergency rulemaking, include effective date _____
 Proposed Rulemaking
 Withdrawal Rule Action Notice In Addition Rule Under Consideration
 Order of Rulemaking

Effective Date for the Order

Statutory 30 days OR Specific date _____

Does the Order of Rulemaking contain changes to the rule text? NO

YES— LIST THE SECTIONS WITH CHANGES, including any deleted rule text:

Small Business Regulatory
 Fairness Board (DRF) Stamp

JCAR Stamp

Emergency Termination

B. Certification letter or cover letter on agency letterhead—
This letter must certify that the attached is a complete and accurate copy of the emergency termination and must include the corresponding rule number. The director of the department or his/her designee must sign this letter.

Example

Address letter to the secretary of state

Date:

Robin Carnahan
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

List the rule number and title of the rule

Dear Secretary Carnahan,

RE: *Rule Number and Title*

TERMINATION OF ADMINISTRATIVE RULE

Rulemaking authority

I do hereby certify that the attached is an accurate and complete copy of the emergency termination lawfully submitted by *name of your department, board or commission*.

Statutory Authority: section(s) _____
your agency's statute for rulemaking.

Name of the contact person the Administrative Rules Division staff may call

The department filed *rule number* on December 20, 2006, effective December 30, 2006, and wishes to terminate it on January 7, 2007.

If there are any questions regarding the termination of this rule, please contact:

Authorized signature of the department or division director, or his/her designee whose Delegation of Authority form is on file in the Office of the Secretary of State, Administrative Rules Division

Name

Address

Phone Number

Email

Signature of proper authority

Name and title of proper authority

Name of department, board or commission

Emergency Termination

Step 4—Prepare Word version of rulemaking and send it as an email attachment to rules@sos.mo.gov and be sure to put Rulemaking at the beginning of the subject. In lieu of sending an email attachment, you may prepare a diskette or CD copy of your termination formatted in Microsoft Word for the Administrative Rules staff.

Step 5—Filing of an emergency termination

- A. Now that you have the original documents prepared, make five (5) copies of all documents, as well as any copies you will need for your own records.
- B. Prepare packets of the original and the correct number of copies for the Joint Committee on Administrative Rules and the Office of the Secretary of State.
- C. Take the original (which you will keep) and all copies to the Joint Committee on Administrative Rules, Capitol Building, B-8, Jefferson City, Missouri. JCAR will stamp all copies and keep one (1) copy.
- D. Bring four (4) sets (stamped original and three (3) copies) for filing to the Administrative Rules Division in Room 168 of the James C. Kirkpatrick State Information Center, 600 W. Main St., Jefferson City, Missouri. Remember to send a Word version of rulemaking as an email attachment to rules@sos.mo.gov **prior** to filing the paper copies. If you do not send an email attachment prior to filing, please bring a diskette or CD copy of your rulemaking with your paper copies.

