

INTRODUCTION

Purpose and Structure

The Legislature, by s. 35.93 and ch. 227, Stats., directs the publication of the rules of executive agencies having rule-making authority, in a loose-leaf, continual revision system known as the Wisconsin Administrative Code. The Code is kept current by means of new and replacement pages. The pages are issued monthly in the Wisconsin Administrative Register, together with notices of hearings, proposed rules, and emergency rules; instructions for insertion of new material; and other information submitted by agencies. The Register is published at the middle and end of each month. Code pages are published only with the end of the month Register. The editing and publishing of the Register and Code is done by the Legislative Reference Bureau, Suite 200, One East Main St., PO Box 2037, Madison, Wisconsin, 53701. Telephone 608-266-7590 or E-mail bruce.hoesly@legis.wisconsin.gov.

Availability

The complete Code and the upkeep service are distributed to the county law libraries; the libraries of the University of Wisconsin Law School and Marquette University Law School, the State Historical Society, the State Law Library, and certain designated public libraries throughout the state.

The sale and distribution of the printed Register and Code is handled by the Department of Administration, Document Sales and Distribution, 202 S. Thornton Avenue, Madison, Wisconsin 53703-3037. (608-266-3358 information) (1-800-362-7253 or 608-264-9419 charge card orders).

The entire Code and Registers from January, 1996, can be found on the internet at www.legis.state.wi.us/rsb/code.htm and on the WisLaw[®] CD-ROM. WisLaw[®] end-user license and subscription order forms are available from Document Sales and Distribution.

Arrangement and Table of Contents

The entire Code is arranged alphabetically by agency. Certain descriptors such as "Department" and "Wisconsin" are ignored for arrangement purposes. Each agency adopts a prefix to identify their rules. For example, the Department of Natural Resources uses "NR" before each Code chapter number.

Each agency's rules are referred to as a "code," except that some agencies subdivide their rules into multiple "codes" either by program or division within the agency. These codes are divided into chapters arranged in numerical order and chapters are divided into sections. Each section is given a mixed decimal section number consisting of a whole number that is the chapter number and a decimal number that indicates the section's location within the chapter. The decimal number consists of at least two digits and may contain as many as five digits. In a decimal system, 48.10 is the same as 48.100 and 48.100 follows 48.09, not 48.99.

Each agency code is listed alphabetically in the Composite Table of Contents that is contained in Volume 1 of the printed Code. Each agency code has a numerically arranged table of contents of the chapters in the code that lists the chapter title

followed by the page number on which the chapter begins. Each chapter contains a numerically arranged table of contents of the sections in the chapter.

History Notes

Each Code section that is revised or created subsequent to the original January 1, 1956 printing date of the Code is followed by a history note indicating the date and number of the Register in which it was published and the date on which the revision or creation of the rule became effective. Additions to a section's history note will be shown in bold face when those affected Code sections are first released. The absence of a history note at the end of a section indicates that the rule has remained unchanged since the original printing in 1956. The date line at the bottom of the page indicates the month in which the page was released, but does not necessarily mean a substantive change has occurred on that page. The abbreviations used in the history notes are: **CR...** Clearinghouse Rule, **cr...** create, **am...** amend, **r...** repeal, **recr...** recreate, **renum...** renumber, **eff...** effective, and **emerg...** emergency.

In some instances an *entire* chapter has been repealed and recreated or renumbered subsequent to the original printing date. When this occurs, a note is placed at the beginning of the chapter after the table of contents to contain this information. A separate history note appears after each section indicating the date when the revision or creation became effective.

Beginning July 2001, history notes include the Clearinghouse Rule number associated with the rule revision. The Clearinghouse Rule number is assigned by the Legislative Council Rules Clearinghouse to a proposed rule near the start of the rulemaking process. This number is listed in the history note as follows: **CR 01-041**. The first 2 numbers indicate the year the rule proposal was initiated and the last 3 numbers refer to a sequential numbering of proposals as the rule proposals are received by the Legislative Council during the course of the year.

Emergency Rules

The Legislature has granted state agencies the authority to enact rules without using the normal rule-making process by publishing those rules in the official state newspaper. To justify the use of the emergency rule process, an agency must find that the preservation of the public peace, health, safety or welfare will be jeopardized without the emergency rule. Some agency emergency rules are specifically authorized by legislation and are adopted without a finding of emergency. Readers should review the current Wisconsin Administrative Register to see if a particular published rule is also affected by an emergency rule. Emergency rules that are currently in effect, plus rules that have been filed since January 1, 2008 can be found on the internet at www.legis.state.wi.us/rsb/code.htm

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The index for the complete Code is contained in the last volume of the complete printed set. It will normally be recompiled, reprinted, and distributed at least 3 times a year.