

Chapter SEC 4

PETITION FOR RULES

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SEC 4.01 Who may petition. Any interested person may petition the department in writing for the adoption, repeal or amendment of any rule within the scope of the department's rule-making powers.

SEC 4.02 Form of petition. (1) Every such petition shall be captioned "Before the Department of Securities, State of Wisconsin" and entitled "In the Matter of the Adoption of a Rule Relating to ----- (here insert subject matter dealt with in proposed rule)" or "In the Matter of the Amendment (or Repeal) of section ----- of the Rules and Regulations Relating to ----- (here insert proper title of the rules and regulations in which the rule to be repealed or amended appears)."

(2) If the petition is for the adoption of a new rule, the form of such proposed rule shall be set out in the petition, except that two or more forms may be set out in the alternative if the petitioner so desires.

(3) If the petition is for repeal of an existing rule, such existing rule shall be set out verbatim in the petition. If the petition is for the amendment of an existing rule, the existing rule shall be set out at length with a horizontal line (or a line of hyphens) drawn through any words, figures and punctuation marks which the petitioner desires to have stricken and with new matter underscored or (if the petition is printed) in italics.

(4) A petition may be for the adoption, amendment or repeal of more than one rule, or for the repeal and recreation of any rule, provided that each such proposal shall be separately stated in conformity with subsections (2) and (3) of this rule.

(5) The petition shall be signed by one or more natural persons. The postoffice address of each signer shall be set out opposite his name and if he signs on behalf of a corporation or association that fact shall also be indicated opposite his name.

SEC 4.03 Supporting data. Whenever the adoption, repeal or amendment of any rule is sought by reason of the existence of a factual situation which the petitioner claims exists, the petition shall be accompanied by a sworn statement or affidavit of at least one of the petitioners stating what facts the petitioner claims exist justifying the department in taking the action prayed for and stating what evidence of such facts the petitioner has in his possession and desires to present to the department. Any petition requiring such supporting data may in the director's discretion be summarily rejected if it does not conform to this rule.

SEC 4.04 Filing. All such petitions shall be filed with the Department of Securities.