

Appendix B: Administrative Rule Process Summary

**Steps in italics have already been completed for the emergency administrative rule.*

Step Number	Procedure
<i>Step 1</i>	<i>Commission authorizes rulemaking process, and staff drafts Statement of Scope.</i>
<i>Step 2</i>	<i>Statement of Scope approved by DOA, Governor's Office, and sent to LRB for publication.</i> <i>Public comment is likely to occur (See Appendix E: Public Comment Submissions).</i>
Step 3	Commission approves Statement of Scope no sooner than 10 days after publication. Prior to any approval of the Statement of Scope, the Commission would be required to hold a public hearing and comment period regarding the emergency rule as directed by JCRAR on March 31, 2021.
Step 4	Analysis of whether Statement of Scope has changed in any meaningful way. If so, Governor will need to reapprove Statement of Scope.
Step 5	Staff begins drafting language of proposed rule and fiscal estimate.
Step 6	Certain notice, hearing, and publication procedures are not immediately required for emergency rule promulgation (<i>See Wis. Stat. §227.24(1)(b)</i>).
Step 7	Staff solicits information and advice from stakeholders and posts the proposal on the Administrative Rules Website. Public comment should be accepted for at least fourteen calendar days (if little-to-no economic impact is expected from the rule's promulgation).
Step 8	Staff prepares Economic Impact Analysis for proposed rule, incorporating public feedback.
Step 9	Staff prepares notice of submission of proposed rule to Rules Clearinghouse. Commission approves notice of submission, which includes the proposed rule order and Economic Impact Analysis.
Step 10	Staff provides final draft of proposed rule and Economic Impact Analysis to Legislative Council Rules Clearinghouse, Governor/DOA, and the Legislature. Notice is then sent to LRB for publication in the Administrative Register.

Step 11	After various processes/approvals, staff will publish notice of a public hearing ten days prior to that hearing. This is not immediately required for the emergency rule promulgation process.
Step 12	Staff prepares final draft of rule, with analysis and fiscal estimate, and submits to the Governor within thirty days of public comment period. Governor provides final rule approval.
Step 13	The entire package of materials is consolidated into a report which will be sent to the Legislature. Notice of submission is published in the Administrative Register, and the Legislature reviews, requests changes, objects, and/or approves the rule after the various committees have completed the required processes.
Step 14	When the rule is promulgated, staff file a certified copy with LRB for incorporation in the Wisconsin Administrative Code and publication in the Administrative Register.
Step 15	LRB publishes the rule in the Administrative Register. The rule is effective upon the first day of the month commencing after publication.