WISCONSIN LEGISLATIVE COUNCIL
RULES CLEARINGHOUSE

CLEARINGHOUSE RULE 09-097

Comments

[<u>NOTE</u>: All citations to "Manual" in the comments below are to the <u>Administrative Rules Procedures Manual</u>, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]

2. Form, Style and Placement in Administrative Code

a. The rule preface makes use of a number of acronyms. An acronym should be used only after the term for which the acronym is used is expressed fully for the first time.

b. The amendment to s. Ins 6.77 (4) (b) is unnecessary. The reference to s. 632.32 (4), Stats., automatically incorporates legislative changes. [See ss. 227.27 (1) and 990.001 (5) (b), Stats.]

c. In s. Ins 6.77 (6) (a), the first and second occurrence of the deletion of the word "liability" should be reversed. The word should be restored in order to comport with the definitions of the terms "excess liability policy" and "umbrella liability policy" in s. Ins 6.77 (3) (b) and (c).

d. SECTION 9 of the rule should be deleted since the rule is not an emergency rule. Instead, an appropriate effective date provision should be included. [See s. 1.02 (4), Manual.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In item 3. of the rule preface, the phrase "These types" does not refer to any policies previously mentioned in the rule preface. Apparently, the phrase refers to commercial liability insurance and commercial umbrella policies, but this should be specified for purposes of clarity.

b. Item 9. of the rule preface states that: "Small businesses may not be able to obtain general liability insurance or be required on short notice to have to find another carrier for their business insurance."   Is that a statement regarding current law or regarding the law after promulgation of the rule?   Or is it a statement that applies regardless of whether the rule is promulgated?