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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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Scott Grosz and Jessica Karls-Ruplinger  
Clearinghouse Co-Directors

Terry C. Anderson  
Legislative Council Director

Laura D. Rose  
Legislative Council Deputy Director

### CLEARINGHOUSE RULE 14-076

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]**

#### 2. Form, Style and Placement in Administrative Code

a. The introductory clause should be updated to reflect any revisions made in accordance with these comments.

b. In the rule summary’s comparison with rules in adjacent states, an entry should be inserted for Michigan. If that state does not have a rule on this topic, that fact should be stated. [s. 1.02 (2) (a), Manual.]

c. In s. Ins 2.30 (2), the list of definitions should be arranged so that the definitions that begin with a numeral are listed first, in ascending numerical order, followed by the remaining definitions in alphabetical order. [s. 1.01 (7) (a), Manual.] The proposed rule should renumber the existing definitions, in addition to creating the new definitions, in order to accomplish the correct order. If the agency anticipates creating additional numeral definitions in the future, it might consider numbering the definitions in a way that leaves space between the numeral and alphabetical definitions for future insertions.

d. In s. Ins 2.30 (3) (c), the underscored period after “1999” should be removed, and the period at the end of the subsection should not be underscored. [s. 1.06 (4), Manual.]

e. In s. Ins 2.30 (3m), the following revisions should be made:

(1) The subsection title should be written in solid capital letters. [s. 1.05 (2) (c), Manual.]

(2) The paragraphs should be designated with proper subunits. For example:

- (a) The first paragraph, beginning with the phrase “In using the 2012 IAR Table”, could be designated as par. “(a)”.
  - (b) The second paragraph, beginning with the phrase “The resulting”, could be designated as par. “(b)”.
  - (3) The second sentence of the second paragraph, beginning with the phrase “Also, the rounding”, should be revised to begin with the phrase “The rounding”.
  - (4) The examples in the second paragraph should be placed into notes, rather than in the text of the proposed rule. Any substantive material should remain in the text. [s. 1.09 (1), Manual.]
- f. In the initial applicability provision, the phrase “This rule first applies” should replace the phrase “These changes apply”, and the phrase “or after” should be removed. [s. 1.02 (3m), Manual.]
- g. In the effective date provision, the phrase “This rule shall” should replace the phrase “These changes will”, and the phrase “in the Wisconsin Administrative Register” should be inserted after the word “publication”. [s. 1.02 (4) (a), Manual.] Also, the word “Wis.” should be removed from the phrase “Wis. Stats.”. [s. 1.07 (2), Manual.]

#### **4. Adequacy of References to Related Statutes, Rules and Forms**

- a. In the introductory clause, a reference to sub. “(3)” should be inserted between “2.30” and par. “(cm)”, and the phrase “Wis. Adm. Code” should be removed. [s. 1.07 (2) (Note), Manual.]
- b. In the rule summary’s listing of related statutes or rules, the reference to “ss. Ins 2.80” should be singular (“s.”), and the title “Ins” should be inserted before the chapter number in the reference to “ch. 50”. [s. 1.07 (2), Manual.]
- c. In s. Ins 2.30 (2) (h), should “sub. (3m)” replace “Section 3m”? [s. 1.07 (2), Manual.]
- d. In s. Ins 2.30 (3m), the reference in the second paragraph to “the formula above” should be revised to refer to a designated internal reference. For example, a reference to “the formula in par. (a)” could be given, if that designation is created in accordance with comment 2. e. (2) (a), above. [s. 1.07 (2), Manual.]

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

- a. In the rule summary’s summary of factual data and analytical methodologies used in support of the proposed rule, the first instance of the acronym “NAIC” should be written out, and the acronym should be enclosed in parentheses. [s. 1.01 (8), Manual.]
- b. In the first sentence of the rule summary’s analysis and supporting documentation used to determine the effect on small business, a comma should be inserted after the word “however”, and another comma inserted after the word “structure”.
- c. In s. Ins 2.30 (2) (f), “the Period” is enclosed in parentheses. The use of parentheses should be avoided. [s. 1.01 (6), Manual.]

d. In s. Ins 2.30 (3) (cm), if it is desirable to mirror the phrasing used in pars. (b) and (c), the phrase “to determine” could replace the phrase “for determining”.