



# Wisconsin Legislative Council

## RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 21-089

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]**

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

a. In SECTION 1, the agency should use the Oxford comma in the listing of statutes interpreted. [s. 1.06 (1) (b), Manual.]

b. In SECTIONS 2 and 6, all references to the statutes should be followed by “, Stats.”. [s. 1.15 (2) (b) 1., Manual.]

c. In SECTION 4, the agency should insert “any” or “all”, as appropriate, in the phrase “except for the following:” in s. Ins. 6.875 (4) (i) (intro.).

d. The agency should revise the lists in SECTION 5 by making clear in pars. (a) and (b) that *all of the following* forms of insurance are exempt from the general form filing requirements. The current rulemaking style generally requires each subunit complete the idea and result in a complete sentence when read with the introduction and that an introduction makes clear whether any or all of the following apply. Generally, it is recommended that an agency achieve this format through the use of appropriate introductory material, a colon at the end of the introductory clause, and a period at the end of each subunit. The agency should consider similar restructuring of the material treated in SECTION 2 of the proposed rule. [s. 1.11 (2), Manual.]

e. The proposed rule inserts two newly created provisions after s. Ins 6.785 (6), so it appears that SECTION 6 should create s. Ins 6.785 (6r), as opposed to (6m), to leave the most space for future insertions. [s. 1.10 (3) (c), Manual.]

f. Use of underscored text in SECTIONS 4, 5, 6, and 8 is unnecessary. [s. 1.04 (2), Manual.]

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

a. The agency may wish to expand on its explanation of the factual data and analytical methodologies used in support of the proposed rule. Particularly, it may be helpful to explain the difference in premium thresholds for different forms of insurance for the form filing exemption. Such an explanation could incorporate applicable findings from s. Ins 6.785 (3).

b. Similarly, the agency also may wish to explain its reasoning for lowering the premium threshold for the rate filing exemption for general liability, commercial automobile, crime, and glass insurance from \$100,000 to \$50,000.

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

The agency should standardize the use of “annual premiums” or “annual premium”. The agency refers to “annual premiums” in s. Ins 6.785 (6g) (a) (intro.) and “annual premium” in s. Ins 6.785 (4) (i) (intro.) and (6g) (b) (intro.).