

**ASSEMBLY AMENDMENT 9,
TO 2001 ASSEMBLY BILL 876**

March 7, 2002 – Offered by Representative MILLER.

1 At the locations indicated, amend the bill as follows:

- 2 **1.** Page 1, line 7: delete the material beginning with “creating” and ending
3 with “board,” on line 8.
- 4 **2.** Page 1, line 10: delete the material beginning with “requiring” and ending
5 with “insurers” on line 13 and substitute “small employer health insurance rates”.
- 6 **3.** Page 6, line 1: delete the material beginning with “**(1)**” and ending with line
7 17.
- 8 **4.** Page 8, line 16: delete lines 16 to 19.
- 9 **5.** Page 9, line 3: delete “and from any other”.
- 10 **6.** Page 9, line 4: delete “person under s. 40.98 (2) (h)”.
- 11 **7.** Page 9, line 6: delete “(6m)” and substitute “(6r)”.

1 **8.** Page 10, line 8: delete the material beginning with that line and ending on
2 line 24 and substitute:

3 “**SECTION 12m.** 40.98 (6r) of the statutes is created to read:

4 40.98 **(6r)** The secretary of administration shall lapse from the appropriation
5 account under s. 20.515 (2) (g) to the general fund an amount equal to the amount
6 encumbered from the appropriation under s. 20.515 (2) (a) during the 2001–03 fiscal
7 biennium that exceeds \$211,100 when the secretary of administration, after
8 consulting with the board, determines that funds in the appropriation account under
9 s. 20.515 (2) (g) are sufficient to make the lapse. The secretary of administration may
10 lapse the amounts in installments.”.

11 **9.** Page 13, line 20: delete the material beginning with that line and ending
12 with page 16, line 21, and substitute:

13 “**SECTION 20m.** 635.05 (1) of the statutes is amended to read:

14 635.05 **(1)** Establishing restrictions on premium rates that a small employer
15 insurer may charge a small employer such that the premium rates charged to small
16 employers with similar case characteristics for the same or similar benefit design
17 characteristics do not vary from the midpoint rate for those small employers by more
18 than ~~35%~~ 15% of that midpoint rate.”.

19 **10.** Page 23, line 9: delete lines 9 to 24 and substitute:

20 “(1m) RULES RELATED TO SMALL EMPLOYER HEALTH INSURANCE RATES. Using the
21 procedure under section 227.24 of the statutes, the commissioner of insurance may
22 promulgate the rules required under section 635.05 (1) of the statutes, as affected by
23 this act, for the period before the effective date of the permanent rules required under
24 section 635.05 (1) of the statutes, as affected by this act, but not to exceed the period

1 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
2 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the commissioner is not required
3 to provide evidence that promulgating a rule under this subsection as an emergency
4 rule is necessary for the preservation of public peace, health, safety, or welfare and
5 is not required to provide a finding of emergency for a rule promulgated under this
6 subsection.”.

7 **11.** Page 24, line 16: delete lines 16 to 24.

8 **12.** Page 25, line 1: delete lines 1 and 2.

9 **13.** Page 26, line 17: after that line insert:

10 **“SECTION 23m. Initial applicability.**

11 (1) SMALL EMPLOYER HEALTH INSURANCE RATES. The treatment of section 635.05
12 (1) of the statutes and SECTION 22 (1m) of this act first apply to rates charged under
13 policies or plans issued or renewed to small employers on September 1, 2002.”.

14 **14.** Page 26, line 23: after that line insert:

15 **“(2m) SMALL EMPLOYER HEALTH INSURANCE RATES. The treatment of section**
16 **635.05 (1) of the statutes takes effect on September 1, 2002.”.**

17 **(END)**