

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3610/P1dn
PJK:rs:pg

September 27, 2001

1. I did not amend s. 628.46 (2m) in the way suggested. The problem I had with the suggested way is that many of the terms are undefined in the statutes. Although "property and casualty insurance" is used a few times in the statutes, and "disability insurance" is used a number of times, they are not used consistently. According to Ballentine's law dictionary, "casualty insurance" literally means every type of insurance except life insurance.

Does limiting the applicability of s. 628.46 (2m) to claims made under disability insurance policies work? I'm assuming that the definition of disability insurance policy in s. 632.895 (1) (a) does not include worker's compensation insurance or any type of coverage under an automobile insurance policy. Do you interpret the definition differently?

2. I don't know that it makes any substantive difference, but should the "total" before "net income" in s. 600.03 (19) (b) 1. be stricken for consistency with s. 600.03 (19) (b) 2.?

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us