

**2007 DRAFTING REQUEST**

**Senate Amendment (SA-SB294)**

Received: 11/05/2007

Received By: **pkahler**

Wanted: **Today**

Identical to LRB:

For: **Roger Breske (608) 266-2509**

By/Representing: **Beth Piliouras**

This file may be shown to any legislator: **NO**

Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Insurance - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Breske@legis.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Fixing typo

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1			nmatzke 11/05/2007	_____	lparisi 11/05/2007	lparisi 11/05/2007	

FE Sent For:

<END>

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FE Sent For:

<END>

**Kahler, Pam**

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**From:** Kahler, Pam  
**Sent:** Friday, November 02, 2007 12:36 PM  
**To:** 'Guidry, Jim R - OCI'  
**Subject:** RE: OCI Bill SB 294/AB 542

The definition at (L) for rule would be inserted in the definition section instead of what is there for (L) now. If you do not want a definition for "rule" a chief clerk's correction would not be appropriate. For a chief clerk's correction, we would be undoing whatever error (act of God) took place to substitute the duplicate (L) for the definition of "rule". So there would be a definition for "rule" in the bill.

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**From:** Guidry, Jim R - OCI [mailto:Jim.Guidry@wisconsin.gov]  
**Sent:** Friday, November 02, 2007 12:13 PM  
**To:** Kahler, Pam  
**Cc:** Nepple, Fred - OCI  
**Subject:** RE: OCI Bill SB 294/AB 542

Does that mean that there is a definition for "rule" that should be placed there instead? Would the correction place that language there? Or would (L) be simply removed?

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 125 South Webster Street  
 PO Box 7873  
 Madison, WI 53707-7873

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**From:** Kahler, Pam [mailto:Pam.Kahler@legis.wisconsin.gov]  
**Sent:** Friday, November 02, 2007 12:08 PM  
**To:** Guidry, Jim R - OCI  
**Subject:** RE: OCI Bill SB 294/AB 542

We've followed the bill back and the error came in right at the beginning when last session's LRB-4355 was converted to this session's LRB-0843. The peculiar thing is that in LRB-4355, (L) in the definitions was a definition for "rule" and when the draft was converted to LRB-0843 there was no change whatsoever to that provision, so it's almost as if (L) from the other section just spontaneously popped into both places. We can't see any reason why (L) in the definitions would have been touched at all. But, in any case, because it is so clearly a technical error, we can do a chief clerk's correction, which is an amendment that we do here. It does not have to be introduced and acted upon by the legislature. It just automatically gets incorporated into the bill. It is the same kind of change that could be done for something technical like a misspelled word. So we can handle it here for both bills. Glad someone noticed it! Thanks!

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**From:** Guidry, Jim R - OCI [mailto:Jim.Guidry@wisconsin.gov]  
**Sent:** Friday, November 02, 2007 11:52 AM  
**To:** Kahler, Pam  
**Subject:** RE: OCI Bill SB 294/AB 542

11/02/2007

How would that work?

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**From:** Kahler, Pam [mailto:Pam.Kahler@legis.wisconsin.gov]  
**Sent:** Friday, November 02, 2007 11:28 AM  
**To:** Guidry, Jim R - OCI  
**Subject:** RE: OCI Bill SB 294/AB 542

Let me check into how this happened. It might be appropriate for a chief clerk's correction right now.

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**From:** Guidry, Jim R - OCI [mailto:Jim.Guidry@wisconsin.gov]  
**Sent:** Friday, November 02, 2007 11:24 AM  
**To:** Piliouras, Elizabeth; Rosenak, Mary Jan; Kahler, Pam  
**Subject:** OCI Bill SB 294/AB 542

Hi all,

There is an item in our Compact bill that needs correction. A section of bill language appears to have been duplicated in another part of the bill. Specifically, on page 7 line 24 and 25 and page 8 lines 1-4, which is part of the definitions, there is language related to the powers of the compact commission. Identical language is located in the proper place on page 11 (lines 10-15). The necessary correction would be to delete lines 24 and 25 on page 7 and delete lines 1-4 on page 8. I would assume a simple amendment could solve this, but I would leave that to your discretion.

I'm drafting a letter from Sean to both Committees but wanted to give you a heads up.

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200

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Date (time) needed

LRBa 0848 / f

AMENDMENT

PSK : js : \_\_\_\_\_

See form AMENDMENTS — COMPONENTS & ITEMS.

S A AMENDMENT

TO S A AMENDMENT \_\_\_\_\_ (LRBa / ),

TO S A SUBSTITUTE AMENDMENT \_\_\_\_\_ (LRBs / ),

TO 2007 SB SJR SR AB AJR AR 794 (LRB- / )

At the locations indicated, amend the \_\_\_\_\_ as follows:

(fill ONLY if "engrossed ...." or "as shown by ....." )

#. Page 7, line 24: delete the material beginning with that line and ending with page 8, line 4, and substitute:

#. Page ....., line .....:
#. Page ....., line .....:
#. Page ....., line .....:
#. Page ....., line .....:



1 (e) "Commissioner" means the chief insurance regulatory official of a state,  
2 including, but not limited to, commissioner, superintendent, director, or  
3 administrator.

4 (f) "Domiciliary state" means the state in which an insurer is incorporated or  
5 organized; or, in the case of an alien insurer, its state of entry.

6 (g) "Insurer" means any entity licensed by a state to issue contracts of  
7 insurance for any of the lines of insurance covered by this section.

8 (h) "Member" means the person chosen by a compacting state as its  
9 representative to the commission, or his or her designee.

10 (i) "Noncompacting state" means any state that is not at the time a compacting  
11 state.

12 (j) "Operating procedures" mean procedures promulgated by the commission  
13 implementing a rule, a uniform standard, or a provision of this compact.

14 (k) "Product" means the form of a policy or contract, including any application,  
15 endorsement, or related form that is attached to and made a part of the policy or  
16 contract, and any evidence of coverage or certificate, for an individual or group  
17 annuity, life insurance, disability income, or long-term care insurance product that  
18 an insurer is authorized to issue.

19 (L) "Rule" means a statement of general or particular applicability and future  
20 effect promulgated by the commission, including a uniform standard developed  
21 under sub. (7), designed to implement, interpret, or prescribe law or policy or  
22 describing the organization, procedure, or practice requirements of the commission,  
23 which shall have the force and effect of law in the compacting states.

24 (m) "State" means any state, district, or territory of the United States of  
25 America.

(END)