



State of Wisconsin / OFFICE OF THE COMMISSIONER OF INSURANCE

Scott Walker, Governor  
Theodore K. Nickel, Commissioner

Wisconsin.gov

December 7, 2018

125 South Webster Street • P.O. Box 7873  
Madison, Wisconsin 53707-7873  
Phone: (608) 266-3585 • Fax: (608) 266-9935  
E-Mail: [ociinformation@wisconsin.gov](mailto:ociinformation@wisconsin.gov)  
Web Address: [oci.wi.gov](http://oci.wi.gov)

SENATOR STEPHEN NASS  
SENATE CO-CHAIRPERSON  
JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES  
ROOM 10 SOUTH, STATE CAPITOL  
MADISON WI 53702

REPRESENTATIVE JOAN BALLWEG  
ASSEMBLY CO-CHAIRPERSON  
JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES  
ROOM 210 NORTH, STATE CAPITOL  
MADISON, WI 53702

Re: Petition for Authorization to Repeal Rule Ins 2.04, Wis. Adm. Code

Dear Senator Nass and Representative Ballweg:

I am petitioning for authorization to repeal s. Ins. 2.04, Wis. Adm. Code, relating to stock life insurance corporations writing participating policies. A copy of the proposed rule is attached.

The agency lacks authority to administer the rules under s. Ins. 2.04, Wis. Adm. Code, as the statute cited in the code provision references a statute that was repealed by Chapter 375, laws of 1975 and not replaced. Section Ins. 2.04, Wis. Adm. Code, permitted life insurance companies to exceed the maximum premium rate for coverage of a person that is classified as a substandard risk or is engaged in a hazardous occupation.

Therefore, I request authorization to repeal this rule by utilizing the expedited process under s. 227.26(4), Wis. Stat.

Sincerely,

Theodore K. Nickel  
Commissioner