

CR 83-211

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STATE OF WISCONSIN
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MAR 27 1984

DOUGLAS LA FOLLETTE
SECRETARY OF STATE

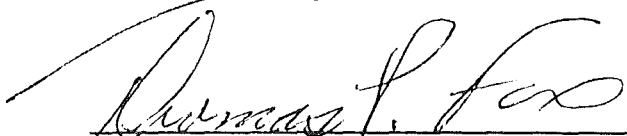
STATE OF WISCONSIN)
OFFICE OF THE COMMISSIONER OF INSURANCE)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Thomas P. Fox, Commissioner of Insurance and custodian of the official records of said office, do hereby certify that the annexed order repealing and renumbering sections of a rule relating to life insurance solicitation was issued by this office March 27, 1984.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name in the City of Madison, State of Wisconsin, this 27th day of March, 1984.



Thomas P. Fox
Commissioner of Insurance

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STATE OF WISCONSIN
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MAR 27 1984

DOUGLAS LA FOLLETTE
SECRETARY OF STATE

ORDER OF THE COMMISSIONER OF INSURANCE
REPEALING AND RENUMBERING RULES

To repeal Ins 2.14 (3) (a) and (f); (4) (a) and (c) and Appendix 1, 2 and 3; to renumber Ins 2.14 (3) (b), (c), (d), (e) and (g) and (4) (b), (d) and (e) relating to life insurance solicitations.

ANALYSIS PREPARED BY THE OFFICE OF THE COMMISSIONER OF INSURANCE

The purpose of these amendments is to amend section Ins 2.14 by repealing from section Ins 2.14 references which were declared invalid by the Wisconsin Supreme Court in Aetna Ins. Co. v. Mitchell, 101 Wis. 2d 90.

In Aetna Ins. Co. v. Mitchell, the Wisconsin Supreme Court upheld a Dane County Circuit Court decision which declared Ins 2.14 (3) (a), (3) (f), and Appendix 1, 2 and 3 invalid.

Although no other subsections are explicitly mentioned in the decision, this decision by extension also invalidates Ins 2.14 (4) (a) and (4) (c).

Section Ins 2.14 interprets ss. 601.01 (2), (3), (7) and (10) and 628.34, Stats.

Pursuant to the authority vested in the Commissioner of Insurance by s. 601.41 (3), Stats., the Commissioner hereby repeals and renumbers portions of section Ins 2.14 interpreting ss. 601.01 (2), (3), (7) and (10) and 628.34, Stats., and to add an explanatory note to the rule as follows:

SECTION 1. Ins 2.14 (3) (a) and (f), (4) (a) and (c) and Appendix 1, 2 and 3 are repealed.

SECTION 2. Ins 2.14 (3) (b) to (e) and (g) are renumbered Ins 2.14 (3) (a) to (e), respectively.

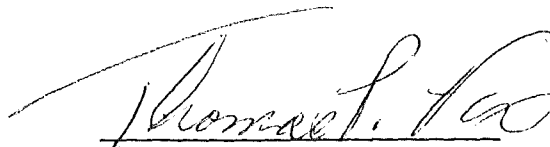
SECTION 3. Ins 2.14 (4) (b), (d) and (e) are renumbered Ins 2.14 (4) (a) to (c), respectively.

SECTION 4. The following note is to be added to the end of Ins 2.14.

NOTE: In Aetna Ins. Co. v. Mitchell, 101 Wis. 2d 90, the Wisconsin Supreme Court upheld a Dane County Circuit Court decision which declared Ins 2.14 (3) (a) and (f) and Appendix 1, 2 and 3 invalid. By extension, this decision also invalidates Ins 2.14 (4) (a) and (c). The invalidated portions of Ins 2.14 have been repealed and the rule has been renumbered to reflect this repeal.

This repeal and renumbering and addition of a note shall take effect on the first day of the month following publication as provided in s. 227.026 (1) (intro.), Stats.

Dated at Madison, Wisconsin, this 27th day of March, 1984.

A handwritten signature in cursive script, appearing to read "Thomas P. Fox", written over a horizontal line.

Thomas P. Fox
Commissioner of Insurance

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