



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 11.01, Wis. Adm. Code

Dear Senator Nass and Representative Ballweg:

I am petitioning for authorization to repeal s. Ins. 11.01, Wis. Adm. Code, relating to the insurance security fund board. A copy of the proposed rule is attached.

The agency lacks authority to administer the rules under s. Ins. 11.01, Wis. Adm. Code, as the rule is now unauthorized following the enactment of 2007 Act 170. Act 170 amended s. 646.12(1) and removed the authority to set board membership by rule. Rather, the statute now sets the board membership, superseding s. Ins. 11.01 and rendering the rule unauthorized.

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