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Filed May 25, 1973  
3:35 pm

STATE OF WISCONSIN )  
 )ss.  
OFFICE OF THE COMMISSIONER OF INSURANCE)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I. S. C. DuRose, Commissioner of Insurance and custodian of the official records of said office, do hereby certify that the annexed order adopting a rule relating to public inspection of records and reports was issued by this office on May 25, 1973.

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 and affixed the official seal of the Office of the Commissioner of Insurance in the City of Madison, State of Wisconsin, this 25th day of May, 1973.



S. C. DuRose  
Commissioner of Insurance

STATE OF WISCONSIN  
DEPARTMENT OF STATE  
RECEIVED AND FILED

MAY 25 1973

ROBERT C. ZIMMERMAN  
SECRETARY OF STATE

ORDER OF THE OFFICE OF THE COMMISSIONER OF INSURANCE

Adopting Rules

Pursuant to authority vested in the Commissioner of Insurance by section 601.41 (3), Wis. Stats., the Commissioner of Insurance hereby adopts a rule as follows:

Section Ins 6.13 of the Wisconsin Administrative Code is adopted to read:

Ins 6.13 Public Inspection of Records and Reports. (1) PURPOSE. The purpose of this rule is to specify which records of the Office of the Commissioner of Insurance are not open to public inspection under section 601.46 (4), Wis. Stats.

(2) DEFINITIONS. As used in this rule: (a) "Records" includes all reports and writings required or authorized by law to be filed, deposited, or kept at the Office of the Commissioner of Insurance or which are in his lawful possession or control.

(b) "Reports" includes all reports made, issued, or submitted by the Commissioner of Insurance under section 601.46 (3), Wis. Stats.

(c) "Writing" means handwriting, typewriting, printing, photostating, photographing, electronic recording, and every other means of recording any form of communication or representation.

(3) LIMITATIONS ON PUBLIC INSPECTION. (a) Procedure. Records shall be open to public inspection during usual business hours and in such a manner as not to interfere with the efficient and orderly operation of the Office of the Commissioner of Insurance.

(b) Statutory Limitations. Public inspection shall be denied or limited with respect to records within the purview of section 66.77 (3), Wis. Stats., and any other statute limiting inspection.

(c) Other Limitations. Except as provided in (b), all records shall be open to public inspection except

1. a record which is the work product of an employee in the Office of the Commissioner of Insurance or a person contracting with the Commissioner of Insurance to provide such record, unless and until such record becomes a public record by operation of other statute or rule,
2. a record whose disclosure would reveal the identity of an informant who furnished information pursuant to a pledge of confidentiality,
3. a record received on a confidential basis from another governmental agency,
4. a record which is a part of a current investigation which may result in administrative, legal or criminal action or which relates to any such pending action, if the disclosure of such record would impede or frustrate such investigation or action,
5. a record whose disclosure would unduly damage a person's reputation so as to outweigh the public interest in disclosure,
6. a record whose disclosure would result in such harm to the public interest as to outweigh the public benefit to be gained by granting inspection.

(4) JUSTIFICATION FOR REFUSING INSPECTION. Whenever the commissioner is requested in writing to provide the reasons for his refusing a demand to inspect a particular record, he shall specifically state the reasons for such refusal.

(5) EXCEPTIONS. Nothing contained herein shall prevent the commissioner from furnishing a record when required to do so by a proper court order or when requested to do so by a public officer in the official discharge of his duties, under such safeguards as may be appropriate.

Dated May 25, 1973.



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S. C. DuRose  
Commissioner of Insurance

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ROBERT C. ZIMMERMAN  
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