

Senate Bill 440

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CHAPTER 461

AN ACT to repeal 206.41 (4) (b) 3; to renumber 206.41 (4) (b) 4; to amend 20.460 (44) and 209.04 (2) (b); and to create 209.039 of the statutes, abolishing the advisory boards on the examination of insurance agents, creating an insurance agents advisory board, and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.460 (44) of the statutes is amended to read:

20.460 (44) All fees collected under s. 200.13 (16m) are appropriated to the commissioner of insurance for the preparation, printing and distribution of agents' qualification training manuals for the various lines of insurance ~~and~~, the administration of the agents' licensing program *and for the expenses of the insurance agents advisory board and the administration of s. 209.039.*

SECTION 2. 206.41 (4) (b) 3 of the statutes is repealed.

SECTION 3. 206.41 (4) (b) 4 of the statutes is renumbered 206.41 (4) (b) 3.

SECTION 4. 209.039 of the statutes is created to read:

209.039 INSURANCE AGENTS ADVISORY BOARD. (1) COMPOSITION. There is created an insurance agents advisory board to consist of the commissioner or a member of his staff designated by him and 9 members, at least 6 of whom are experienced and licensed as resident insurance agents, appointed by the commissioner to the following terms: 3 for terms of one year, 3 for terms of 2 years, and 3 for terms of 3 years. All subsequent appointments shall be for 3 years, except that in the event

of a vacancy the commissioner shall appoint a successor to serve for the remainder of the unexpired term. The board shall annually elect a chairman. The commissioner or his designee shall act as secretary and shall keep a record of all proceedings, transactions, communications and other official acts of the board. The files and records of the board shall be maintained in the insurance department.

(2) MEETINGS. The secretary shall call all meetings of the board as directed by the commissioner or the chairman, or as requested in writing by 2 or more members. Such meetings shall be at such times and places as the business of the board requires. Sufficient notice shall be given as will permit members to attend all meetings. A majority vote of all members of the board shall be required for any action taken by the board.

(3) EXPENSES OF MEMBERS. Appointive members of the board shall receive no compensation, but shall receive their actual and necessary expenses in attending meetings or while performing other duties as directed by the board.

(4) RECOMMENDATIONS TO COMMISSIONER. The board shall make recommendations to the commissioner for the preparation and conduct of examinations pursuant to ss. 206.41 (4), 208.21 and 209.04 (2) (b). At the request of the commissioner it may advise the commissioner concerning the relevancy of the content of examinations to the types of licenses being sought by applicants.

(5) INSURANCE EDUCATION FOR AGENTS; COMMISSIONER'S DUTY. The commissioner may, with the assistance of the board, work with various educational institutions in the state in formulating, instituting and maintaining in such institutions courses of instruction in various fields of insurance for the education of agents and applicants for agents' licenses.

SECTION 5. 209.04 (2) (b) of the statutes is amended to read:

209.04 (2) (b) Each applicant for a certificate of registration or agent's license (if no such certificate is required) shall pay an examination fee as required by s. 200.13 (17) and submit to a personal written examination to determine his competence with respect to the kind of insurance contacts he intends to solicit, negotiate or effect and his familiarity with the pertinent provisions of the laws of this state and passes the same to the satisfaction of the commissioner; except that no such examination or fee therefor shall be required of any person who makes application to solicit exclusively the kinds of insurance described in s. 203.32 (2) (b) 6 for domestic windstorm, cyclone and tornado insurance companies operating on an assessment plan or by any person who makes application to solicit, exclusively, the kind of insurance for which he held a license as a resident agent within the 5 years immediately preceding the date of filing his application unless during that period, renewal of his license was denied for cause. The commissioner may, upon showing just cause, require any applicant having previously held a certificate of registration to submit to a written examination and pass the same for any certificate before effecting the renewal of such certificate. The commissioner shall require further examination of a certificate holder whenever such person indicates intent to solicit, negotiate or effect kinds of insurance for which he has not been licensed for any insurer within the last 5 years. The commissioner shall establish rules with respect to the scope, frequency, grading of papers, announcements of the results of such written examinations and the times and places within the state where they shall be held. The commissioner shall cause examinations to be conducted throughout the state at places reasonably accessible to applicants at no less frequency than once each month. In advance of such examinations the commissioner shall cause notice to be given to all applicants. The

commissioner is authorized to appoint representatives deemed competent who shall conduct the examination and to pay a fee to each person conducting the examinations as his deputy. ~~The commissioner may appoint an advisory board to make recommendations to him with respect to the scope, type, frequency, grading of papers, announcement of results and generally the conduct of written examinations and the times and places within the state where they shall be held, the ways and means of passing upon and issuing certificates and licenses, and generally to aid and assist the commissioner in carrying out the law economically and in the interest of the insuring public, the companies and applicants. The advisory board shall consist of persons experienced in the insurance business.~~

Approved December 14, 1965.
