

444.05 History: 1913 c. 632; Stats. 1913 s. 1636—241 sub. 4; 1915 c. 272; 1919 c. 374; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (9); 1929 c. 507 ss. 1, 3; 1935 c. 512; 1945 c. 401; Stats. 1945 s. 169.09; 1969 c. 336 ss. 143, 175 (3); Stats. 1969 s. 444.05.

444.06 History: 1913 c. 632; Stats. 1913 s. 1636—241 sub. 5; 1915 c. 272; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (10); 1945 c. 401; Stats. 1945 s. 169.10; 1969 c. 336 s. 144; Stats. 1969 s. 444.06.

The provision that the state athletic commission may be and at least one inspector shall be present at all exhibitions and shall see that the rules are strictly observed may confer some superintending authority on the commission during the progress of a boxing exhibition to cause the referee to properly observe the commission's rules governing the contest, but it does not confer authority on the commission to reverse a referee's decision after the exhibition has been concluded. State ex rel. Durando v. State Athletic Comm. 272 W 191, 75 NW (2d) 451.

Inspectors of the state athletic commission appointed to supervise boxing matches may not be paid for services by the boxing club which promotes a boxing match. 27 Atty. Gen. 377.

444.07 History: 1913 c. 632; Stats. 1913 s. 1636—241 sub. 6; 1915 c. 272; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (11); 1945 c. 401; Stats. 1945 s. 169.11; 1969 c. 336 s. 145; Stats. 1969 s. 444.07.

444.08 History: 1913 c. 632; Stats. 1913 s. 1636—241 sub. 7; 1915 c. 272; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (12); 1945 c. 401; Stats. 1945 s. 169.12; 1969 c. 336 s. 145; Stats. 1969 s. 444.08.

444.09 History: 1913 c. 632; Stats. 1913 s. 1636—241 sub. 8; 1915 c. 272; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (13); 1929 c. 507 ss. 1, 3; 1931 c. 157; 1935 c. 512; 1941 c. 62; 1945 c. 401; Stats. 1945 s. 169.13; 1969 c. 336 ss. 145, 175 (3); Stats. 1969 s. 444.09.

169.13 (7) does not empower the state athletic commission to reverse a decision of the referee, although such statute is broad enough to empower the commission to adopt a rule giving it the right to reverse a referee's decision if he fails to follow the rules laid down by the commission. State ex rel. Durando v. State Athletic Comm. 272 W 191, 75 NW (2d) 451.

444.10 History: 1913 c. 632; Stats. 1913 s. 1636—241 sub. 10; 1915 c. 272; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (15); 1925 c. 445 s. 3; 1945 c. 401; Stats. 1945 s. 169.15; 1969 c. 336 ss. 145, 175 (3); Stats. 1969 s. 444.10.

444.11 History: 1913 c. 632; Stats. 1913 s. 1636—241 sub. 10; 1915 c. 272; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (15); 1925 c. 445 s. 3; Stats. 1925 s. 169.01 (15a); 1935 c. 512; 1945 c. 401; Stats. 1945 s. 169.16; 1969 c. 336 ss. 145, 175 (3); Stats. 1969 s. 444.11.

444.12 History: 1913 c. 632; Stats. 1913 s. 1636—241 sub. 10; 1915 c. 272; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (15); 1925 c. 445 s. 3; Stats. 1925 s. 169.01 (15b); 1929 c. 507 s. 2;

1935 c. 512; 1945 c. 401; Stats. 1945 s. 169.17; 1969 c. 336 s. 145; Stats. 1969 s. 444.12.

444.13 History: 1913 c. 632; Stats. 1913 s. 1636—241 sub. 11; 1915 c. 272; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (16); 1945 c. 401; Stats. 1945 s. 169.18; 1969 c. 336 ss. 145, 175 (3); Stats. 1969 s. 444.13.

444.14 History: 1913 c. 632; Stats. 1913 s. 1636—241 sub. 12; 1915 c. 272; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (17); 1935 c. 512; 1945 c. 401; Stats. 1945 s. 169.19; 1969 c. 336 s. 146; Stats. 1969 s. 444.14.

444.15 History: 1913 c. 632; Stats. 1913 s. 1636—241 sub. 13; 1915 c. 272; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (18); 1945 c. 401; Stats. 1945 s. 169.20; 1969 c. 336 s. 147; Stats. 1969 s. 444.15.

444.16 History: 1913 c. 632; Stats. 1913 s. 1636—241 sub. 14; 1915 c. 272; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (19); 1945 c. 401; Stats. 1945 s. 169.21; 1969 c. 336 s. 148; Stats. 1969 s. 444.16.

444.17 History: 1929 c. 507 s. 3; Stats. 1929 s. 169.01 (20); 1931 c. 182; 1935 c. 93, 343, 512; 1937 c. 133; 1941 c. 30; 1945 c. 401; Stats. 1945 s. 169.22; 1953 c. 61 s. 2; 1969 c. 276 s. 602 (1); 1969 c. 336 s. 149; Stats. 1969 s. 444.17.

Payment for advertisements on a program is not a voluntary or solicited contribution paid towards matches or exhibitions conducted. 26 Atty. Gen. 49.

444.18 History: 1955 c. 170; Stats. 1955 s. 169.24; 1969 c. 336 s. 150; Stats. 1969 s. 444.18.

CHAPTER 445.

Basic Sciences Examining Board.

445.01 History: 1969 c. 336 s. 163; 1969 c. 342 ss. 2, 11 (1) (a); Stats. 1969 s. 445.01.

445.02 History: 1969 c. 336 s. 163; Stats. 1969 s. 445.02.

Astigmatism, headaches and partial paralysis known as "blind staggers" constitute "disease" within the statute prohibiting the treatment of the sick without a certificate of registration in the basic sciences. Nickell v. State, 205 W 614, 238 NW 508.

See note to 448.02, citing 39 Atty. Gen. 10.

445.03 History: 1969 c. 336 s. 163; Stats. 1969 s. 445.03.

445.04 History: 1969 c. 336 s. 163; Stats. 1969 s. 445.04.

445.05 History: 1969 c. 336 s. 163; Stats. 1969 s. 445.05.

445.06 History: 1969 c. 336 s. 163; Stats. 1969 s. 445.06.

The state board of medical examiners in granting a certificate acts in a quasi-judicial capacity and a determination within its jurisdiction will not be disturbed except for error of law. State v. Schmidt, 138 W 53, 119 NW 647.

445.07 History: 1969 c. 336 s. 163; Stats. 1969 s. 445.07.

445.08 History: 1969 c. 336 s. 163; Stats. 1969 s. 445.08.

Editor's Note: Predecessor statutes were construed by the attorneys general in opinions published in 16 Atty. Gen. 468, 21 Atty. Gen. 500, and 27 Atty. Gen. 784.

445.09 History: 1969 c. 336 s. 163; Stats. 1969 s. 445.09.

445.10 History: 1969 c. 336 s. 163; Stats. 1969 s. 445.10.

445.11 History: 1969 c. 336 s. 163; Stats. 1969 s. 445.11.

445.12 History: 1969 c. 336 s. 163; Stats. 1969 s. 445.12.

CHAPTER 446.

Chiropractic Examining Board.

446.01 History: 1969 c. 336 s. 164; Stats. 1969 s. 446.01.

446.02 History: 1969 c. 336 s. 164; 1969 c. 392 s. 69g; Stats. 1969 s. 446.02.

Chiropractors are required to exercise care and skill in diagnosis, and are liable for malpractice if they fail to do so. They must exercise the care and skill in so doing that is usually exercised by a recognized school of the medical profession. *Kuechler v. Volgmann*, 180 W 238, 192 NW 1015.

Since the statute does not define "chiropractic," the state board of examiners may do so by rule, and the rule stated in the administrative code is approved. 147.185 (7), Stats. 1957, does not require approval by the board of all practices taught by schools; the board may restrict the practice by rule. *State v. Grayson*, 5 W (2d) 203, 92 NW (2d) 272.

One licensed only as a chiropractor who uses electrotherapy violates the medical practice act. 21 Atty. Gen. 646.

One licensed to practice chiropractic is not thereby authorized to treat the sick by other methods such as naturopathy. 39 Atty. Gen. 308.

An unlicensed person may not give steam baths and rubdowns in premises carrying the sign "Chiropractic Clinic" used by a former chiropractor occupying the premises. 44 Atty. Gen. 29.

One who was licensed to practice chiropractic in 1925 and who permitted his license to lapse at the end of that year and who made no attempt to renew it during the year following cannot be reinstated in 1955 under 147.23 (7), Stats. 1953, by paying up the registration fees for each of the last 30 years; and he may claim no privileges under the provisions of 147.24 (8), which was enacted after his license terminated. 44 Atty. Gen. 50.

Under 147.23 (3), Stats. 1963, preliminary education consisting of 2 years of college must precede enrollment in a school of chiropractic to permit taking of an examination for a license. 53 Atty. Gen. 50.

446.03 History: 1969 c. 336 s. 164; Stats. 1969 s. 446.03.

On the use of diagnostic and therapeutic devices by chiropractors, deceiving or de-

frauding the public, and suspension and revoking of licenses, see 52 Atty. Gen. 165.

446.04 History: 1969 c. 336 s. 164; Stats. 1969 s. 446.04.

A chiropractor who advertises as a naturopath may have his license suspended or revoked for unprofessional conduct under 147.24, 147.25 and 147.26, Stats. 1949. 39 Atty. Gen. 308.

See note to 446.03, citing 52 Atty. Gen. 165.

446.05 History: 1969 c. 336 s. 164; Stats. 1969 s. 446.05.

446.06 History: 1969 c. 336 s. 164; Stats. 1969 s. 446.06.

446.07 History: 1969 c. 336 s. 164; Stats. 1969 s. 446.07.

CHAPTER 447.

Dentistry Examining Board.

Editor's Note: The predecessor chapter on dentistry (ch. 152) was construed in *State ex rel. Coffey v. Chittenden*, 112 W 569, 88 NW 587, in *State ex rel. Milwaukee Medical College v. Chittenden*, 127 W 468, 107 NW 500, and in *Modern System Dentists v. State Board of Dental Examiners*, 216 W 190, 256 NW 922.

On legislative power generally and delegation of power see notes to sec. 1, art. IV.

See note to sec. 1, art. I, on exercises of police power, citing *Modern System Dentists v. State Board of Dental Examiners*, 216 W 190, 256 NW 922.

447.001 History: 1969 c. 392 s. 69i; Stats. 1969 s. 447.001.

447.01 History: 1885 c. 129 ss. 2 to 4, 6, 7; 1887 c. 102; Ann. Stats. 1889 ss. 1410r to 1410t, 1410v, 1410w; Stats. 1898 ss. 1410e to 1410g, 1410j; 1903 c. 411 ss. 1 to 3, 6, 7; Supl. 1906 ss. 1410e to 1410g, 1410j, 1410k; 1909 c. 258; 1913 c. 545; 1913 c. 772 s. 40; 1915 c. 436 ss. 1 to 3, 8; 1919 c. 93 s. 24; 1919 c. 362 s. 32; 1923 c. 448 s. 92a; Stats. 1923 s. 152.01; 1933 c. 189 ss. 2, 3; 1951 c. 319 s. 246a; 1953 c. 134; 1955 c. 221 s. 49; 1959 c. 38; 1961 c. 400; 1963 c. 342; 1969 c. 336 ss. 110, 111, 175 (4); Stats. 1969 s. 447.01.

447.02 History: 1885 c. 129 ss. 4, 6; 1887 c. 102; Ann. Stats. 1889 ss. 1410i, 1410t, 1410v; Stats. 1898 ss. 1410g, 1410i; 1903 c. 411 ss. 3, 5; Supl. 1906 ss. 1410g, 1410i; 1909 c. 258; 1913 c. 545; 1913 c. 772 s. 40; 1915 c. 436 ss. 1 to 3, 6, 7; 1923 c. 448 s. 92a; Stats. 1923 s. 152.02; 1933 c. 189 ss. 2, 3; 1935 c. 125; 1939 c. 216; 1949 c. 415; 1955 c. 10; 1961 c. 400, 621; 1963 c. 342; 1969 c. 336 s. 112; Stats. 1969 s. 447.02.

Advertising by which an advertiser falsely offers to reline, tighten or adjust dentures violates 100.18 (1), Stats. 1949, and if the advertiser attempts to perform such services except on prescription of a licensed dentist, or to give advice or assistance to others performing such work, he is practicing dentistry within the meaning of 152.02 (1), and must be licensed as a dentist. 38 Atty. Gen. 330.

447.03 History: 1885 c. 129 ss. 1, 5; Ann. Stats. 1889 ss. 1410q, 1410u; Stats. 1898 s. 1410h;