

No. 505, A.]

[Published July 10, 1943.]

CHAPTER 503.

AN ACT to revise, rearrange, consolidate and amend chapter 69; to repeal 348.35; to renumber 352.52 to be 69.55; to amend 59.51 (7), 59.57 (7) and (11b), 140.07 (4) (f), 245.25, 245.29, 322.02 (1) and 328.09 (1) and (2); and to create 245.24 (4) of the statutes, relating to the registration of births, stillbirths, marriages and deaths and providing a penalty.

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

SECTION 1. The title to chapter 69 of the statutes is revised to read:

BUREAU OF VITAL STATISTICS

SECTION 2. 69.01 of the statutes is amended to read:

69.01 * * * *The "State Bureau of Vital Statistics" is hereby created.*

SECTION 3. 69.02 of the statutes is renumbered 69.02 (1) and amended to read:

69.02 BUREAU UNDER STATE BOARD OF HEALTH. (1) * * * *The Bureau shall be under the immediate supervision and direction of the state board of health. The board shall designate a state registrar of vital statistics who, unless he is secretary of the board, shall under the supervision of the secretary of the state board of health * * * have charge of the bureau. For budgetary purposes the bureau shall consist of a division of public health statistics and a division of legal records.*

SECTION 4. 69.02 (2), (3), (4) and (5) of the statutes are created to read:

69.02 (2) The division of public health statistics shall:

(a) Prepare all forms required to be prepared by the bureau under this chapter.

(b) Instruct registers of deeds and local registrars in their duties under this chapter and supervise them in their work.

(c) Collect, examine and tabulate all papers required to be filed with the bureau under this chapter.

(d) Enforce the provisions of sections 69.06 and 69.07.

(3) The division of legal records:

(a) Shall file and index papers required to be filed with the

state registrar under this chapter and shall preserve such records after they have served their purpose as public health statistics.

(b) Shall issue certified copies of such records upon payment of the prescribed fees.

(c) May make transcripts of such records for the United States Census Bureau, the Social Security Board and other governmental agencies upon their request and payment of the fees mutually agreed upon. Certified copies or verifications of records may be furnished free to governmental agencies.

(d) May make special searches of such records and make copies, transcripts or reports pursuant thereto upon request and payment of the fees prescribed by the board.

(e) May operate a microfilm laboratory in connection with its duties under this chapter; the services of this laboratory may be available at cost to other governmental agencies if such use does not interfere with the bureau's duties under this chapter.

(4) All fees collected for work done under the provisions of this chapter by the bureau, the state board of health, or any member, officer or employe thereof shall be paid into the state treasurer within one week after they are received and appropriated to the state board of health under section 20.43 (4) for the execution of its functions under this chapter. Any excess over \$10,000 in such revolving fund at the end of each fiscal year shall revert to the general fund.

(5) The bureau is authorized to make such refunds which in its judgment should be paid because of over-remittance of fees and properly account for such refunds.

SECTION 5. 69.03 of the statutes is amended to read:

69.03 RULES AND REGULATIONS BY BOARD OF HEALTH. The state board of health * * * *may make, * * * and from time to time amend* such rules and regulations as * * * *it * * * considers* necessary to carry out the provisions of * * * *this chapter.*

SECTION 6. 69.04 of the statutes is amended to read:

69.04 The state board of health shall provide * * * such clerical and other assistants as may be necessary for the purposes of * * * *this chapter*, and shall fix * * * *their compensation * * *.*

SECTION 7. 69.05 of the statutes is repealed.

SECTION 8. 69.06 of the statutes is renumbered 69.05 and amended to read:

69.05 * * * FORMS PREPARED BY REGISTRAR. The state registrar shall * * * prepare * * * forms of certificate of birth, *stillbirths*, deaths, marriages, * * * divorces and of burial permits, * * * and such other forms necessary to meet the requirements of * * * this chapter, which forms shall be printed and supplied in the same manner as * * * are blanks and stationery for the use of * * * other offices of the state government.

SECTION 9. 69.07 (1), (2), (3), (4) and (6) of the statutes are renumbered 69.06 (1), (2), (3), (4) and (5) and amended to read:

69.06 (1) The state registrar shall prepare and issue * * * detailed instructions * * * required to secure the uniform observance * * * and the maintenance of a perfect system of registration, and no blanks shall be used other than those supplied by * * * *him*.

(2) He shall carefully examine the certificates received from the local registrars *and registers of deeds* and if any such are incomplete or unsatisfactory he shall require such further information as may be necessary to make the record complete.

(3) He shall * * * arrange, bind, and permanently preserve the certificates in a systematic manner and prepare and maintain a comprehensive and continuous * * * index of all births, *stillbirths*, deaths, marriages and divorces registered.

(4) He shall * * * prepare and publish biennially such of the vital facts appearing on the certificates, *or copies thereof*, of births, *stillbirths*, deaths, marriages, * * * and divorces as * * * the state board of health *determines* to be necessary and useful.

(5) He shall at least once each year tabulate and classify all cases of children born with deformity or physical defects in the state since the preceding tabulation * * *, and shall preserve * * * the same * * * in his office. Such tabulations * * * shall be included in the biennial report of the state board of health.

SECTION 9a. 69.07 (5) of the statutes is repealed.

SECTION 10. 69.08 of the statutes is renumbered 69.07 and amended to read:

69.07 (1) The state registrar is hereby charged with the * * * execution of * * *, *this chapter* in every part of the

state, and with * * * *supervising registers of deeds and local registrars with their work under this chapter.*

(2) He * * * *may investigate * * * irregularities or violations of the law, * * * and all local registrars and registers of deeds shall aid him upon request, in such investigations.*

(3) When he * * * *deems it necessary, he shall report * * * violations * * * to the * * * district attorney of the proper county, with a statement of facts and circumstances, and * * * he shall forthwith initiate and promptly * * * prosecute the violators of law, and upon request of the state registrar the attorney-general shall likewise assist in the enforcement of * * * this chapter.*

SECTION 11. 69.09 of the statutes is renumbered 69.08 (1) and amended to read:

69.08 * * * STATISTICS COLLECTED AT LOCAL EXPENSE * * *. (1) * * * *If it is * * * impossible to obtain through the local registrars and registers of deeds complete reports of all births, stillbirths, deaths, and marriages * * * which they respectively are required to report, the board * * * may cause these * * * statistics to be * * * collected and the necessary expenses incurred by so doing shall be charged to and paid for by the respective county, city, * * * village or town * * * whose officer caused this expense * * * to be necessarily incurred.*

SECTION 12. 69.10 of the statutes is renumbered 69.08 (2) and amended to read:

69.08 * * * (2) The state registrar * * * shall file with the clerk of such county, city, * * * village or town, an itemized statement of all expenses incurred, which statement shall serve as prima facie evidence of the claim * * *.

SECTION 13. 69.09 of the statutes is created to read:

69.09 DISTRICTS AND LOCAL HEALTH OFFICERS. For the purposes of this chapter each county shall be a primary registration district for villages and towns and the registers of deeds office shall be the place for filing, except that stillbirth and death certificates shall first be filed with the local registrar of the village or town where the event occurred. The primary registration district for any city shall be the city and the office of the local health officer the place for filing. The local registrar shall be the health officer of the board of health in cities and the clerk of each town and village.

SECTION 14. 69.11 of the statutes is renumbered 69.23 and amended to read:

69.23 CERTIFIED COPIES FURNISHED. (1) The state registrar, register of deeds, or the local registrar of any city or village shall, upon request, furnish any applicant a certified copy of a record *in their possession* of any birth, *stillbirth*, death, marriage or divorce * * *.

(2) * * * Any * * * officials authorized to issue birth certificates, may issue a short form certificate in such form as shall be prescribed by the * * * bureau * * *.

SECTION 15. 69.12 of the statutes is repealed.

SECTION 16. 69.13 of the statutes is renumbered 69.10 and amended to read:

69.10 * * * *Each* * * * town and village clerk * * * shall collect certificates of * * * *stillbirths and deaths* * * * that occur in * * * *his city*, * * * village or town * * * and after making a copy thereof transmit the original to the register of deeds of his county. *Each register of deeds and city health officers shall collect and file certificates of births, stillbirths, deaths and marriages that occur in his county or city as provided in section 69.09 and after making a copy thereof transmit the original to the state registrar.*

SECTION 17. 69.14 of the statutes is renumbered 69.11 and amended to read:

69.11 * * * DEPUTY, LOCAL REGISTRARS. * * * *Each* local registrar * * * shall, upon assuming the duties of his office, appoint a deputy * * * *who shall* * * * act in his stead *under this chapter* in case of * * * *the absence, illness or disability of the local registrar.* * * * *The deputy shall accept such appointment in writing and shall be subject to all rules and regulations governing* * * * the local registrars *under this chapter. The state registrar shall be notified immediately of the appointment of a deputy registrar.*

SECTION 18. 69.15 of the statutes is renumbered 69.12 and amended to read:

69.12 The local registrar or his deputy, in each city, * * * village, and * * * town shall serve as subregistrar for every other local registrar * * * for the purpose of receiving *stillbirth* and death certificates and issuing burial permits. The subregistrar shall sign his name with the date on which the certificate

* * * was filed with him, in the space beneath the place for the signature of the local registrar and forward the certificate at once to the registrar of the district where the *stillbirth* or death occurred * * * and shall receive for such service a fee of 10 cents for each certificate; to be paid by the treasurer of the county, upon the certification of the state registrar. If any certificate * * * is incomplete or unsatisfactory, * * * the subregistrar * * * shall withhold issuing the burial or removal permit * * * until the necessary information is obtained, or a satisfactory record furnished. Each subregistrar shall be liable to the same penalty for neglect of duty as the local registrar.

SECTION 19. 69.16 of the statutes is renumbered 69.13 and amended to read:

69.13 The *registers of deeds* and local registrars shall enforce * * * *this chapter*, in their respective districts, under the supervision and direction of the state registrar; and shall make an immediate report to the state registrar of any violations * * * *thereof* coming to their notice by observation or upon complaint.

SECTION 20. 69.17 of the statutes is renumbered 69.19 and amended to read:

69.19 Each physician, midwife and undertaker *or funeral director* shall before * * * practicing as such in any district register his or her name, address, and occupation with the * * * *register of deeds of the county or the health officer of the city* and shall thereupon be supplied by * * * *him* with a copy of this chapter, together with such rules and regulations as may be prepared by the state registrar relative to its enforcement.

SECTION 21. 69.18 of the statutes is renumbered 69.20 and amended to read:

69.20 * * * *In January* of each * * * year, * * * *the register of deeds or city health officer* shall make a return to the state registrar of all physicians and midwives who * * * registered * * * during * * * the preceding * * * year, and in certifying for payment as hereinafter provided, the state registrar shall not include any physicians or midwives who have not complied with the requirements of this section. No fee or other compensation shall be charged by * * * *registers of deeds or city health officers* to physicians, midwives,

funeral directors or undertakers for registering their names * * * or making returns thereof to the state registrar. The * * * *register of deeds or city health officer* shall supply blank forms of certificates * * * *upon request*, and shall carefully examine each certificate of birth, *stillbirth*, death, or marriage * * *, when presented for record to see that it has been made out in accordance with * * * *this chapter*, and the instructions of the state registrar.

SECTION 22. 69.22 of the statutes is renumbered 69.14 and amended to read:

69.14 The * * * *register of deeds and city health officer* shall number and date consecutively the certificates of birth, *stillbirths*, deaths and marriages as he receives them * * * and * * * *affix the date when received* thereto.

SECTION 23. 69.19 of the statutes is renumbered 69.42 and amended to read:

69.42 If any certificate of death or *stillbirth* is incomplete or unsatisfactory, it shall be the local registrar's duty to call attention to the defects in the return and * * * withhold issuing the burial or removal permit * * *, until the necessary information is obtained or a satisfactory record furnished.

SECTION 24. 69.20 of the statutes is renumbered 69.43 and amended to read:

69.43 In case the death occurred from some disease that is held by the state board of health to be * * * communicable and dangerous to the public health, no permit for the removal or other disposition of the * * * *corpse* shall be granted by the registrar except under * * * *the conditions* * * * prescribed by the state board of health.

SECTION 25. 69.21 of the statutes is renumbered 69.27 and amended to read:

69.27 If a certificate of birth is incomplete the * * * *register of deeds or city health officer* shall immediately notify the parents of the child and require them to supply the missing items if they can be obtained.

SECTION 26. 69.22 of the statutes is created to read:

69.22 DELAYED REGISTRATION. (1) When no registration of any birth has been made within one year after the occurrence thereof, the state registrar or the register of deeds of any county may accept proof thereof for the purpose of filing a birth certifi-

cate, and issue certificates of births based on such proofs. Such proof shall consist of the following:

(a) Hospital or doctor's record of such birth accompanied by the affidavit of such doctor or custodian of doctor's or hospital records, stating that the facts as set forth in such certificate are true; or

(b) The affidavit of parent or parents accompanied by at least one document made within 5 years of the date of birth of the applicant or 2 documents made more than 5 years prior to the date of application, each of which documents shall contain the birthdate, birthplace, and one of such proofs showing parentage of such applicant, or

(c) Three pieces of documentary evidence made more than 5 years prior to the date of application, each setting forth the birthdate and birthplace, and one of such proofs showing parentage of such applicant. An affidavit shall be accepted only as one of the above required proofs.

(2) The register of deeds, upon completion of such delayed registration of birth, shall after making a copy thereof transmit the original registration to the state registrar.

(3) The state registrar shall forward a copy of any delayed record filed with him to the register of deeds of the county in which the event occurred.

SECTION 27. 69.23 of the statutes is renumbered 69.16 and amended to read:

69.16 The local registrar in all cities * * *, villages *and towns* shall * * * make and keep a complete and accurate copy of each *stillbirth* * * * *and death* * * * certificate received by him, upon a form identical with the original certificate * * *, *which copy shall* be filed and permanently preserved in his office, as the local record, of such *stillbirth* * * * *or death* * * *, in such manner as directed by the state registrar.

SECTION 28. 69.24 and 69.25 of the statutes are repealed.

SECTION 28a. 69.18 of the statutes is created to read:

69.18 ORIGINAL CERTIFICATES; TRANSMITTAL; EXCEPTIONS; REPORTS. (1) The city health officer and the register of deeds shall promptly upon receipt of an original certificate of birth, stillbirth, death and marriage make a complete and accurate copy of each certificate filed with him upon a form identical with the

original certificate for his record and transmit the original to the state registrar on or before the seventh day of each month.

(2) If no births, stillbirths, deaths or marriages occur in any month the register of deeds and city health officers shall on or before the seventh day of the following month report that fact to the state registrar in such manner as the state registrar shall direct.

(3) The city health officer, as to births, stillbirths, deaths and marriages occurring in such city, shall within 5 days of the original filing transmit a copy of the original certificate of such births, stillbirths, deaths and marriages to the register of deeds.

SECTION 29. 69.24 of the statutes is created to read:

69.24 FEES. (1) The state registrar, register of deeds, city health officer and village clerk, who are authorized to issue certified copies, as stated in this chapter, shall collect the following fees for the search, filing and issuing of certified copies of birth, stillbirth, death, marriage and divorce records and for making authorized corrections, alterations or additions:

(a) A fee of 50 cents for the issuance of a certified copy of any record previously filed.

(b) A fee of 50 cents for making authorized corrections, alterations and additions.

(c) No fee shall be collected for making such corrections, alterations and additions on records filed before one year of the date on which the event recorded has occurred.

(d) A fee of 25 cents for a short form certificate, except that such certificate for a person under 18 years of age shall be issued free.

(2) The state registrar or the register of deeds, as the case may be, shall collect a fee of \$1 for the examination of documentary proof and the filing of a delayed record, and in addition thereto a fee of 50 cents for the issuance of a certified copy of a delayed record.

(3) The state registrar shall collect a reasonable fee not exceeding \$20 for special searches which may be requested of him to adequately meet the cost of such special search.

(4) (a) For each complete certificate of birth, stillbirth, and death forwarded to the register of deeds or the state registrar as the case may be, in accordance with the provisions of this chapter, including any copies retained in cities the local registrar shall be paid the sum of 25 cents.

(b) The state registrar shall annually certify to the county clerk of the several counties the number of births, stillbirths and deaths registered, with the names of the local registrars and the amounts due each at the rates fixed herein for payment by the county treasurer.

SECTION 30. 69.26 of the statutes is renumbered 69.30 (1) and amended to read:

69.30 (1) The physician or midwife in attendance * * * upon any birth * * * shall file a certificate of birth, properly and completely filled out, giving all the particulars required by * * * *this chapter* with the * * * *register of deeds of the county* in which the birth occurred within 5 days after * * * birth, *except that in cities such certificate shall be filed with the health officer.* All certificates for illegitimate births subsequent to October 1, 1907 shall be kept in a separate file and shall be subject to public inspection only upon court order, except for obtaining proof of heirship. A copy of an illegitimate birth record shall be furnished only upon the order of any county judge or judge of the juvenile court. All * * * charges for professional services rendered by the physician or midwife in attendance upon a birth shall be unlawful if the birth certificate, properly filled out, is not reported as herein provided.

SECTION 31. 69.27 (1) of the statutes is renumbered 69.30 (2) and amended to read:

69.30 (2) If there be no attending physician or midwife, then the father of the child, householder or owner of the premises, manager or superintendent of a public or private institution in which the birth occurred shall file a satisfactory certificate of birth with the * * * *register of deeds, or city health officer,* within 5 days *as provided in section 69.09.*

SECTION 32. 69.27 (2) of the statutes is renumbered 69.31 and amended to read:

69.31 * * * FOUNDLINGS REPORTED. It shall be the duty of anyone finding an unknown child, to immediately report that fact to the * * * *register of deeds of the county, or city health officer* where the child was found, *as provided in section 69.09;* such report shall show the sex and color of the child, the date and place of finding the child, and the name of the person or institution in charge of such child. The town, village or city in which the child is found shall be known as the place of legal birth and

the date of birth shall be stated by the person in charge of the child as nearly as can be determined and the date so given shall be known as the legal date of birth. The person or superintendent of the institution with whom the child is placed for care shall give the child a name and shall be responsible for filling out as completely as possible the regular form of birth certificate and filing it with * * * *such register of deeds or the city health officer*, who shall make a copy for * * * *his own record and forward the original* to the state board of health * * *. If the child should later be identified and a certificate of birth be found or obtained, the record provided for by this section shall be destroyed. When foundlings or other children for whom it is impossible to provide a regular form of birth certificate are adopted, it shall be lawful for the adoptive parents to fill out and sign a birth record, giving their names as the adoptive parents.

SECTION 33. 69.28 of the statutes is renumbered 69.29 (1).

SECTION 33a. 69.29 (2) of the statutes is created to read:

69.29 (2) The standard short form certificate of birth shall contain only the following information: The name of the person whom it concerns as originally recorded, or as subsequently changed pursuant to law, the sex of the person, the date on which he or she was born, the name of the town, village or city, and county in which he or she was born, and the date when the record was filed; no court order shall be required for the issuance of this certificate, whether for legitimate or illegitimate births.

SECTION 34. 69.29 of the statutes is renumbered 69.32.

SECTION 35. 69.30 of the statutes is renumbered 69.28 and amended to read:

69.28 When any certificate of birth of a living child is presented without a statement of the given name, * * * the * * * *register of deeds or city health officer as provided in section 69.09* shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed and returned to * * * *such register of deeds or city health officer* as soon as the child * * * *is* named. The original certificate of birth shall not be considered complete until the supplemental report is filed or the blank returned with the statement "died unnamed."

SECTION 36. 69.31 of the statutes is renumbered 69.44 and amended to read:

69.44 * * * DISPOSITIONS OF DEAD; PERMIT REQUISITE. The body of any person whose death occurs in this state shall not be interred, deposited in a vault or tomb, cremated, or otherwise disposed of, until a permit for burial or removal * * * is issued * * *, and no * * * burial or removal permit shall be issued * * * until a complete and satisfactory certificate * * * of the death has been filed * * * as herein * * * provided.

SECTION 37. 69.32 of the statutes is renumbered 69.34 and amended to read:

69.34 * * * The certificate of stillbirth shall contain such items as the state board of health * * * determines are necessary * * *. The funeral director or person acting as such shall be responsible for filing the certificate before obtaining a burial permit, and shall have the items pertaining to the cause and conditions of the stillbirth filled in and signed by the physician or other person attending the birth. In case the birth was unattended, the local registrar or the coroner shall state over his signature such facts as can be ascertained about the birth in the space so provided.

SECTION 38. 69.33 of the statutes is renumbered 69.35.

SECTION 39. 69.34 of the statutes is renumbered 69.36 and amended to read:

69.36 The personal and statistical particulars * * * shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts.

SECTION 40. 69.35 of the statutes is renumbered 69.37 and amended to read:

69.37 The statement of facts relating to the disposition of the body shall be signed by the undertaker *or the funeral director* or *by the person acting as such undertaker or director*.

SECTION 41. 69.36 of the statutes is renumbered 69.38 and (1), (2), (3) and (5) thereof are amended to read:

69.38 (1) The * * * certificate of death shall be made and signed by the physician * * * last in attendance on the deceased * * * and shall specify the time in attendance, the time he last saw the deceased alive, and the hour * * * and the day at which death occurred.

(2) He shall * * * state the causes of death so as to show the course of disease or sequence of causes resulting in death, * * * and the duration of each.

(3) Indefinite and unsatisfactory terms indicating only symptoms of disease or conditions resulting from diseases * * * are not * * * sufficient for issuing a burial or removal permit and any certificate containing only such terms * * * shall be returned to the physician for correction and definition.

(5) In case of deaths in hospitals, institutions, or away from home, the physician shall furnish the information required under this head * * * and shall state where, in his opinion, the disease was contracted.

SECTION 42. 69.37 of the statutes is renumbered 69.39.

SECTION 43. 69.38 of the statutes is renumbered 69.40.

SECTION 44. 69.39 of the statutes is renumbered 69.41 and amended to read:

69.41 Any coroner * * * who holds an inquest on the body of any deceased person * * * required for a burial permit, shall state in his certificate the nature of the disease, or the manner of death, and if from external causes or violence whether "probably" accidental, suicidal or homicidal, as determined by the inquest; and shall * * * furnish such information as may be required by the state registrar to classify the death.

SECTION 45. 69.40 of the statutes is renumbered 69.45 and (1) and (2) thereof are amended to read:

69.45 (1) The * * * *funeral director*, or person acting as * * * *funeral director*, shall be responsible for obtaining and filing the certificate of death with the registrar and securing from him a burial or removal permit prior to any disposition of the body.

(2) He shall obtain the personal and statistical particulars required from the person best qualified to supply them over the signature and address of his informant. He shall then present the certificate to the attending physician or other person authorized by law to fill out the medical certificate of the cause of death and other particulars necessary to complete the record, as specified in sections * * * 69.35 to 69.41. He shall then state the facts required relative to the date and place of burial over his signature and * * * his address, and present the completed certificate to the registrar who shall then issue a burial or removal permit.

SECTION 46. 69.41 of the statutes is renumbered 69.46 and amended to read:

69.46 If the interment or other disposition of the body is to be made in the registration district in which the death occurred, the wording of the burial permit may be limited to a statement by the registrar * * * over his signature, that a satisfactory certificate of death having been filed with him as required by law, permission is granted to inter, remove, or otherwise dispose of the body of the deceased, stating the name, age, sex, cause of death and other necessary details upon the form prescribed by the state registrar.

SECTION 47. 69.42 of the statutes is renumbered 69.47.

SECTION 48. 69.48 of the statutes is repealed.

SECTION 49. 69.43, 69.44 and 69.45 of the statutes are consolidated, renumbered 69.48 and amended to read:

69.48 SEXTON'S * * * DUTIES. (1) No sexton or person in charge of any premises in which interments or cremations are made shall inter or cremate or permit the interment or cremation of any body unless it is accompanied by a burial permit * * * as provided in sections 69.45 and 69.46 or by the certificate provided for in section 69.47.

(2) * * * He shall indorse upon the permit the date of the interment, over his signature, and shall retain all such permits as the part of his record.

(3) * * * He shall * * * keep a record of all interments made in the premises under his charge, stating the name of the deceased person, place of death, date of burial, and name and address of the * * * funeral director.

SECTION 50. 69.46 and 69.47 of the statutes are repealed.

SECTION 51. 69.49 of the statutes is created to read:

69.49 MARRIAGE CERTIFICATES. Except as specifically provided otherwise in this chapter, the forms, contents, execution, returns, delivery, transmission, filing and recording of marriage certificates shall be as provided in chapter 245.

SECTION 52. 69.49 of the statutes is renumbered 69.53 and amended to read:

69.53 (1) Every * * * person licensed to practice medicine and surgery in this state attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic or mercury or their compounds, or from

compressed air illness, contracted as a result of the nature of the patient's employment, shall send to the * * * state board of health * * * a notice, stating the name and full postal address and place of employment of the patient and the disease from which * * * the patient is suffering.

(2) If any * * * *person licensed to practice medicine and surgery* fails to comply with * * * this section, he shall be liable to a fine not exceeding \$10.

(3) * * * The industrial commission * * * shall enforce * * * this section, and * * * it may call upon the state and local boards of health for assistance.

SECTION 53. 69.50, 69.51 and 69.52 of the statutes are consolidated, renumbered 69.52 and amended to read:

69.52 (1) The clerk of every court having jurisdiction of divorce proceedings shall, within 30 days after January 1 of each year, return to the state registrar of vital statistics upon the blanks provided for that purpose, statistics relative to each * * * *action* for annulment of marriage or divorce brought or acted upon in said court during the preceding year.

(2) Said record shall contain the following items: The record number, full name, age, color, and occupation of plaintiff and defendant, date and place of marriage, residence of each at time of marriage and at time * * * *action* was brought, date of separation, date of filing the action, the alleged * * * causes for annulment or divorce, kind of relief prayed for, manner of service of summons, whether or not the * * * *action* was contested, date and nature of decree, final disposition of case; whether alimony was asked and granted, number of children by the marriage, number of children affected by the decree and such other information as the state registrar shall determine is necessary and useful to a proper study of divorces in this state. * * *

(3) The state registrar shall biennially prepare from said returns, abstracts and tabular statements of the facts relating to divorce in each county, and embody them, with the necessary analysis, in the regular biennial report of the state board of health and vital statistics.

SECTION 54. 69.53 (1), (2), (4), (5) and (6) of the statutes are repealed and 69.53 (3), (7) and (8) are renumbered 69.25 (1), (2) and (3) and amended to read:

69.25 (1) Certificates lacking items which * * * *are deter-*

mined by the *city health officer, register of deeds or state registrar* to be important shall be considered defective in so far as they fail to contain the specific facts or items demanded by * * * *them* unless the missing information or facts are obtained to complete the original certificate and in that case the facts so obtained shall be considered a part of the original certificate as though * * * *they* were contained in the original certificate, and said subsequent information relative to said facts and information shall be written on the original certificate and become a part thereof.

(2) The *city health officer, register of deeds and state registrar* shall certify to * * * *each other* all corrections and additional information received by * * * *them* to complete any original certificate received * * *.

(3) Whenever there shall be filed with the state registrar of vital statistics a certificate of death of any resident of this state, who died without the state, the registrar shall * * * *file the original certificate, make a copy thereof and transmit it* to the register of deeds of the county *or the health officer of the city* in which such deceased person resided * * * *as provided in section 69.09*, who shall make a proper record of the same.

SECTION 55. 69.54 of the statutes is renumbered 69.26 and amended to read:

69.26 (1) Each physician, midwife, minister, or priest, court commissioner, judge of a court of record, justice of the peace or other persons acting as informant and filing with the local registrar *or the register of deeds, as the case requires*, certificates of births, *stillbirths*, deaths, and marriages completely and legibly made out in ink, shall be entitled to * * * 25 cents for each birth, *stillbirth*, death, and marriage so * * * *filed*, to be paid by the treasurer of the county upon certification by the state registrar.

(2) Only one certificate shall be * * * *filed* for each birth, *stillbirth*, death, and marriage * * * and the order of right to file the certificate shall be the same as the order of responsibility for filing as herein given.

(3) *Informants transmitting* defective certificates shall not be entitled to payment until the missing information, when possible to obtain, is supplied.

(4) The state registrar shall annually certify to the * * * *county clerks* of the several counties, the number of births, *still-*

births, deaths, and marriages * * * registered with the names of the persons reporting and the amounts due each at the rate fixed herein, *whereupon the county clerk shall certify such amounts to the county treasurer for payment to the persons entitled thereto.*

(5) Any person entitled to such fee shall claim and demand the same within * * * 3 years after receipt by the county treasurer of the warrant or certificate from the state registrar authorizing such payment, and no right to such fee shall exist after the expiration of such time. * * *

SECTION 56. 69.55 of the statutes is renumbered 69.17 and amended to read:

69.17 LOCAL REGISTRAR, TRANSMIT * * * ORIGINALS TO REGISTER OF DEEDS. The local registrar shall, * * * *within 5 days after the burial permit has been issued, make for his own file a (complete and accurate) copy of each * * * stillbirth and death * * * certificate received by him, upon a form identical with the original certificate and transmit the * * * original certificate to the register of deeds of his county.*

SECTION 57. 69.56 (1) of the statutes is renumbered 69.21 and amended to read:

69.21 Every register of deeds shall *make, file and index copies of all certificates of births, stillbirths, deaths, or marriages, received by him * * * and * * * properly bind * * * the copies in book form.* He shall also make all corrections or additions certified to him by the state registrar. * * *

SECTION 57a. 69.56 (2) and (3) of the statutes are repealed.

SECTION 58. 69.57 of the statutes is repealed.

SECTION 59. 69.58 of the statutes is renumbered 69.15 and amended to read:

69.15 * * * REPORTS OF BIRTHS, MARRIAGES AND DEATHS TO OTHER LOCAL REGISTRARS. * * * *Each register of deeds and city health officer shall, on the first day of each * * * month, make an exact copy of all births, stillbirths, marriages and deaths recorded * * * by him during the previous month, whenever the parents of the child born, or the bride or the groom, or the deceased person, * * * was resident in any other city * * *, village or town in this state or in any other state at the time of * * * such birth, stillbirth, marriage or death; and shall transmit such copies to the * * * city health officer,*

*register of deeds of the county or the registrar of the state in which such parents * * *, the bride or the groom, or the deceased, were resident at the time of * * * the birth, stillbirth, marriage or death. The registrars * * * receiving such copies shall record the same in the books kept for recording births, stillbirths, marriages and deaths. Such copies shall be made upon blanks to be furnished for that purpose by the state board of health.*

SECTION 60. 69.59 of the statutes is renumbered 69.50 and amended to read:

69.50 CORRECTION OF MARRIAGE RECORDS; * * *. The circuit court of any county in which * * * any marriage is legally recorded * * * shall make an order correcting such record on proof being made to the satisfaction of the court that the record is incorrect in any particular. The officer in charge of such record shall record * * * the order or a copy certified by the clerk under the seal of the court, and such record shall have the same effect as the record of marriage duly returned by the proper person.

SECTION 61. 69.60 of the statutes is renumbered 69.33 and amended to read:

69.33 (1) On being advised pursuant to section 322.05 of the adoption of any child whose birth has previously been registered or pursuant to section * * * 245.36 of the legitimation of any child * * * by the * * * marriage of the parents, the state registrar of vital statistics shall * * * file a new birth certificate * * * filled out and signed by himself or his authorized representative. In * * * this new certificate * * * reference shall be made to this section * * * by number only. In all other respects the certificate shall be the same as other birth certificates and shall contain nothing else to differentiate it therefrom.

(2) In cases of adoption all the names and statistical particulars entered on a new certificate shall refer to the adoptive parents. * * * The question of legitimacy * * * shall be answered in the affirmative.

(3) In cases of legitimation under * * *, the names and statistical particulars shall be entered as of the date of birth but as though the parents were married at that time. * * * The question of legitimacy * * * shall be answered in the affirmative.

(4) All other items not affected by the adoption or legitimation shall be copied as on the original *certificate* including the date of filing.

(5) The new certificate shall then be filed in place of the original, and the original, together with all correspondence, affidavits, court orders, etc. pertaining thereto, shall be filed away from all public access. Copies of or access to these originals or any material pertaining thereto shall be obtained only on court order or at the discretion of the state registrar. Copies of the new certificate shall be issued under the same laws and rules as apply to the issuing of other certificates.

(6) The state registrar shall send a copy of each * * * new certificate to the register of deeds * * * or city health office where a copy of the original was filed. Such register of deeds or city health officer and * * * state registrar shall file this new record in their regular file, and impound the original which shall not be examined except upon court order or request of the state registrar.

(7) *Whenever a child shall have been legally adopted by residents of this state pursuant to the laws of any other state, the adoptive parent may file with the state registrar a copy of the adoption proceedings and a copy of the original birth certificate, and thereupon the state registrar shall issue a new certificate as provided by subsections (2) and (5).*

* * * (8) This section, as it applies to removing and impounding of original records, shall be retroactive in that the state registrar may treat all * * * records * * * on file since October 1, 1907, in such manner, and so notify the registers of deeds and local registrars.

SECTION 62. 69.335 of the statutes is created to read:

69.335 CORRECTION OF BIRTH RECORDS. A person born in this state may request the state registrar or the register of deeds of the county of his birth, or in cities the health officer of a city of his birth, to correct his birth record. Minor corrections in the record of his given name, or the spelling of his surname may be made upon filing a supplementary report signed by him or his parent, guardian, sister or brother. Major corrections of the record as to his surname, sex, date and place of birth may be made by the state registrar, the register of deeds or city health officer only upon filing his affidavit setting forth the corrections to be made and the reasons therefor. All corrections shall be

made in red ink on the original record without erasures. On the margin of the record the officer shall make date and sign the following notation: The corrections entered in red ink on the adjoining birth record were made this.....day of.....19..... by me and are based on (a supplementary report or an affidavit).

(Signed).....

State registrar, City health officer or Register of deeds.

The state registrar, city health officer or the register of deeds to whom such requests are made shall promptly notify each other of the corrections which have been made; and the other shall make and sign the same corrections and notation in red ink on his records. Affidavits upon which corrections are based shall be permanently filed with the state registrar.

SECTION 63. 59.51 (7) of the statutes is amended to read:

59.51 (7) Register, file and index, as directed by law, all marriages contracted and deaths, * * * births and stillbirths occurring in his county.

SECTION 64. 59.57 (7) and (11b) of the statutes are amended to read:

59.57 (7) For a certified copy of the full record of any marriage, birth, or death, 50 cents; and for a short-form certificate, 25 cents, with the exceptions stated in * * * chapter 69.

(11b) For registering any marriage, birth, stillbirth or death certificate, when recorded into regular bound volumes, or filed in special filing cases, securely locked, * * * 25 cents * * * to be paid by the county.

SECTION 65. 140.07 (4) (f) of the statutes is amended to read:

140.07 (4) (f) Promote efficient registration of marriages, births, stillbirths and deaths * * *.

SECTION 66. 245.24 (4) of the statutes is created to read:

245.24 (4) When a marriage is entered into outside of this state and either of the parties resides in Wisconsin, they may file their certificate of marriage with the register of deeds or city health officer, and thereafter that certificate shall be filed, forwarded and recorded as though the marriage had occurred in this state.

SECTION 67. 245.25 of the statutes is amended to read:

245.25 The marriage certificates marked "duplicate" and "triplicate," duly signed, shall be given by the officiating person to the persons married by him; and the certificate marked "orig-

inal," legibly and completely filled out with unfading ink, shall be returned by such officiating person, or, in the case of a marriage ceremony performed without an officiating person, then by the parties to the marriage contract, or either of them to the * * * *register of deeds of the county* in which said marriage was performed, or if performed in a city, then to the *city health officer* within 3 days after the date of said marriage. The marriage license shall be retained by the person who solemnizes the marriage, or in case of a marriage performed without an officiating person, by the parties to the marriage contract, or either of them, to be prima facie evidence of authority to perform the marriage ceremony.

SECTION 68. 245.29 of the statutes is amended to read:

245.29 Every officiating person, or persons marrying without the presence of an officiating person, as provided by * * * section 245.12 (2), who shall neglect or refuse to transmit the original certificate of any marriage solemnized by him or them, to the * * * *register of deeds of the county or the city health officer as provided in section 69.09* 3 days after the date of such marriage, shall be fined the sum of not to exceed \$200.

SECTION 69. 322.02 (1) of the statutes is amended by substituting the section number "69.33" for the section number "69.60" where it appears in that subsection.

SECTION 70. 328.09 (1) and (2) of the statutes are amended to read:

328.09 (1) RECORD OF BIRTHS, *STILLBIRTHS*, DEATHS AND MARRIAGES. The record of any marriage, birth, *stillbirth* or death kept in the office of any register of deeds or *city health officer* or in the state bureau of vital statistics shall be received as presumptive evidence of the marriage, birth, *stillbirth* or death so recorded.

(2) Any church, parish or baptismal record, and any record of a physician or a person authorized to solemnize marriages, in which record are preserved the facts relating to any birth, *stillbirth*, marriage or death, including the names of the persons, dates, places and other material facts, may be admitted as prima facie evidence of any fact aforesaid. But such record must be produced by its proper custodian and be supported by his oath that it is such a record as it purports to be and is genuine to the best of his knowledge and belief.

SECTION 71. 348.35 of the statutes is repealed.

SECTION 72. 352.52 of the statutes is renumbered 69.55 and the section heading is amended to read as follows: "PENALTIES FOR VIOLATING THIS CHAPTER".

SECTION 73. This act shall take effect July 1, 1943.

Approved July 9, 1943.

No. 613, A.]

[Published July 10, 1943.]

CHAPTER 504.

AN ACT to create 20.05 (8) of the statutes, relating to expenses incident to investment of state funds, and making an appropriation.

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

20.05 (8) of the statutes is created to read:

20.05 (8) EXPENSE OF MAKING INVESTMENTS. Such sums as may be necessary for payment of the cost of postage, insurance and other expenses incident to the purchase or sale of bonds purchased for the general fund under section 14.67.

Approved July 9, 1943.

No. 640, A.]

[Published July 10, 1943.]

CHAPTER 505.

AN ACT to amend 274.01, 274.09 (2) and 274.33 (2) of the statutes, relating to appeals to the supreme court.

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

SECTION 1. 274.01 of the statutes is amended to read:

274.01 *Except as otherwise specially provided*, the time within which a writ of error may be issued or an appeal taken to obtain a review by the supreme court of any judgment or order in any civil action or special proceeding in a court of record is limited to 6 months from the date of the entry of such judgment or order, but if the person against whom a judgment is rendered