

No. 48, A.]

[Published June 12, 1917.

## CHAPTER 357

AN ACT to legalize the expenditure of certain moneys by the Wisconsin board of examiners in optometry prior to January 1, 1917; to direct the payment of all sums now in the possession of the said board into the general fund; to appropriate to the said board all moneys collected by it on and after January 1, 1917; to amend subsections 15 and 19 of section 1435f—35, relating to the practice of optometry; and to amend the first paragraph of section 20.47 of the statutes, relating to the state board of examiners in optometry, and making an appropriation.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. All moneys heretofore received by each and every person for or on behalf of the Wisconsin board of examiners in optometry, and not already expended, shall be paid within one week after this act takes effect into the general fund; and all moneys received by said board on or after January 1, 1917, and so paid into the general fund are appropriated therefrom to the said board for the execution of its functions. The expenditure of all sums necessarily expended by said board in the execution of its functions, prior to January 1, 1917, in excess of one thousand dollars per annum already allowed by law, is hereby legalized.

SECTION 2. Subsections 15 and 19 of section 1435f—35 of the statutes are amended to read: (Section 1435f—35) 15. Said board shall have power to revoke any certificate granted by them, if said certificate was obtained through error or fraud, or if the recipient thereof shall be shown to be grossly incompetent in the practice of optometry, or if it be shown that the holder thereof *is guilty of immoral, dishonorable or unprofessional conduct, or if it be shown that he has obtained, or sought to obtain, money or any other thing of value by false or fraudulent representation in the practice of optometry.* But before any certificate shall be revoked, the holder thereof shall have notice in writing which shall enumerate the charges against him, and shall specify a date not less than thirty days after the service of such notice for a hearing by said board, and such person shall have opportunity to confront witnesses appearing against him, and to produce testimony in his own behalf. A stenographic report of such proceedings to revoke a license shall be made by the board and the transcript thereof kept in its files. The person

whose license has been revoked may within thirty days after the decision of the board, file with the secretary a written notice of appeal to the circuit court of the county wherein such person resides. Upon the filing of such notice, the secretary shall transmit to the attorney-general a certified copy of the record and transcript of testimony of such proceedings and the attorney-general shall defend said board in the circuit court. Said circuit court shall affirm or overrule the action of the board and such decision shall be final.

19. Nothing in this section shall be construed to apply to physicians and surgeons authorized to practice under the laws of this state, nor to persons who shall sell spectacles *from an established place of business* without attempting to test the eyes.

SECTION 3. The first paragraph of section 20.47 of the statutes is amended to read: (20.47) All moneys collected or received by each and every person for or on behalf of the state board of examiners in optometry, \* \* \* shall be paid, *within one week after receipt*, into the *general fund and are appropriated therefrom for the execution of its functions.* \* \* \* Of this \* \* \* there is allotted:

SECTION 4. This act shall take effect upon passage and publication.

Approved June 8, 1917.

No. 209, A.]

[Published June 12, 1917.

## CHAPTER 358

AN ACT to amend section 925m—318 of the statutes, relating to the abandonment by cities of the commission form of government.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 925m—318 of the statutes is amended to read: Section 925m—318. 1. Any city which shall have adopted the provisions of sections 925m—301 to 925m—319, inclusive, and shall have operated for \* \* \* *five* or more years, under said provisions, may, upon a petition, as provided for in section 925m—302, hold an election to determine whether or not such city shall return to and operate under the \* \* \* *laws that would govern if it had never adopted said sections.* \* \* \*

2. Such election \* \* \* shall be held as provided in section 925m—302 \* \* \* *except that the question submitted and printed upon the ballot shall be, "Shall the commission form of government be abandoned?"*