

vouchers shall be prepared therefor conforming with the usual rules and regulations of audit as prescribed by the secretary of state.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 25, 1919.

No. 115, A.]

[Published June 30, 1919.

CHAPTER 425.

AN ACT to amend section 1211—36, subdivision 2 of section 1772, subsection 1 of section 1897b, subdivision (a) and subdivision (c) of section 1897s, subsection 4 of section 1898, section 1901j, subsection 1 of section 1905, subsection 1 of section 1916, the first paragraph of section 1920, section 1921—20, section 1921—23, the first paragraph of subsection 1 of section 1941—64, section 1941—65, subsection 1 of section 1943m, section 1946—18, section 1947a, the first paragraph of subdivision (d) of subsection 2 of section 1958, subsection 28 of section 1959, of the statutes, relating to insurance, repealing subdivision (d) of subsection 15 of section 1958, and adding a new subdivision (c) to subsection 1 of section 1897c, and adding a new subsection to section 1943m, and creating section 1955y—3, relating to insurance.

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

SECTION 1. Section 1211—36 of the statutes is amended to read: Section 1211—36. Whenever the laws of any other state of the United States or of any foreign country, or the rules, regulations, requirements or impositions thereof, or of any department or officer thereof shall require of * * * insurance companies or fraternal benefit societies organized under the laws of this state and doing business in such * * * state or foreign country or of their agents, any deposit of securities for the protection of their policyholders or otherwise, or any payment of taxes, fines, penalties, certificates of authority, license fees or otherwise, greater than the amount required by the laws of this state for the same purposes from similar companies or fraternal societies organized under the laws of such other state or foreign country and doing business in this state, or shall impose other obligations, prohibitions or restrictions additional to or in excess of those imposed by the laws of this state upon insurance companies or fraternal benefit societies of such other state or foreign country or their agents, then all such companies or fraternal benefit societies of such other states or foreign

country doing business within this state shall make the same deposit with the state treasurer and shall pay him the same sum for taxes, fines, penalties, certificates of authority, license fees or otherwise, *and the same obligations, prohibitions or restrictions of whatever kind shall be imposed upon them and their agents as a condition to the * * * issuance of a license to them, as is required to be made or paid or is imposed upon companies or societies of this state or their agents by the laws of such other state or foreign country, or the rules, regulations, requirements or impositions thereof, or of any department or officer thereof.*

SECTION 2. Subdivision (2) of section 1772 is amended to read: (Section 1772) (2) The name of such corporation: But such name shall not contain the names of individuals in the manner in which they are ordinarily used in partnership or business names, and shall be such as to distinguish it from any other corporation organized under the laws of this state and from any corporation licensed to transact business in this state. * * * In case of the reorganization of a corporation the name of the old corporation may be used. No corporate name shall be held illegal because of the omission of the word "limited." The location of such corporation in some city, village or town in the state.

SECTION 3. Subsection 1 of section 1897b is amended to read: (Section 1897b) 1. The name of every corporation hereafter organized doing business on the mutual plan shall contain the word "mutual:" * * *

SECTION 4. There is added to subsection 1 of section 1897c a new subdivision to read: (Section 1897c. 1) (c) The president, vice-president or vice-presidents and all of the directors shall be members of the company.

SECTION 5. Subdivision (a) and subdivision (c) of section 1897s are amended to read: (Section 1897s) (a) It shall issue simultaneously policies upon * * * *two hundred or more risks, each within the maximum single risks prescribed in section 1898; or*

(c) It shall have received, in cash, *not less than one annual premium upon each application pending or risk outstanding. If any application or policy covers a period greater than one year, the premium shall be on hand for such greater period. No part of the premium so received shall be paid or used for promotion expense.*

SECTION 6. Subsection 4 of section 1898 is amended to read: (Section 1898) 4. Any such company may effect reinsurance

in any authorized or unauthorized company, *that complies with the provisions of subsection 1 of section 1905*, providing that insurance in any unauthorized company shall be reported annually and the same taxes paid upon the premiums as are paid by authorized companies.

SECTION 7. Section 1901j is amended to read: Section 1901j. Except as otherwise provided by law * * * no mutual insurance company shall pay or incur in any year any expense, exclusive of investment expenses, taxes and fees, in excess of fifty per centum of the premiums and assessments collected during the year; or in excess of one-half of one per centum on the greatest amount of insurance in force at any time during the year, whichever is the greater. *This section as to companies transacting only disability insurance shall take effect January 1, 1921.*

SECTION 8. Subsection 1 of section 1905 is amended to read: (Section 1905) 1. Any insurance company or association authorized to transact business in this state may, unless otherwise provided by law, assume as a reinsurer the whole or any part of the liability of any other company or association upon such risks as it may insure direct; and may, unless otherwise provided by law, cede to and reinsure in any other responsible company or companies, whose capital and surplus shall equal or exceed the minimum of capital and surplus required by domestic companies for the transaction of similar business, *provided such company or companies are organized under the laws of or licensed to transact business in some state of the United States*, the whole or any part of its liability upon risks assumed.

SECTION 9. Subsection 1 of section 1916 is amended to read: (Section 1916) 1. The commissioner of insurance shall, upon being satisfied that any such insurance corporation has fully complied with all provisions of law applicable thereto, *and that the interests of the people of the state are not jeopardized by dealing with such corporation*, deliver to such corporation a license to transact business in this state as prescribed in these statutes, and shall renew the same from year to year so long as such corporation shall desire to do business in this state, and shall have complied with all of the laws thereof, and its capital, securities, and investments remain as required by law, and shall give to every agent of such corporation a certificate that such corporation has complied with all the provisions of law and is authorized to transact business in this state, which shall continue in force unless sooner revoked in case of fire, marine,

or inland navigation or transportation and mutual hail corporations, until the thirty-first day of January next after the date thereof, and in case of life or accident corporations until the first day of March next after the date thereof, and shall be annually renewed.

SECTION 10. The first paragraph of section 1920 is amended to read: (Section 1920) (First paragraph) The president or vice-president and secretary of each fire, inland navigation or transportation insurance corporation, except mutual fire insurance corporations organized under the laws of this state and licensed to do business therein, shall annually * * * *on or before February twentieth*, prepare and deposit in the office of the commissioner of insurance a statement, verified by their oaths, of the business of the corporation during the year and the condition thereof on the thirty-first day of December then next preceding, exhibiting the following items:

SECTION 11. Section 1921—20 is amended to read: Section 1921—20. No company shall make or charge any rate for workmen's compensation insurance in this state which discriminates unfairly between risks *or classes*, or which discriminates unfairly between risks in the application of like charges and credits in the plan of schedule or merit rating in use; and no company shall discriminate by granting to any employer insurance against other hazards at less than its regular rates for such insurance, or otherwise.

SECTION 12. Section 1921—23 is amended to read: Section 1921—23. In fixing * * * *its rates* * * * no company shall use a pure premium less than that approved as adequate by the compensation insurance board. * * * Any company * * * in fixing * * * *its rates may* * * * use a pure premium higher than that established by the compensation insurance board. * * *

SECTION 13. The first paragraph of subsection 1 of section 1941—64 is amended to read: (Section 1941—64) (1) (First paragraph) No fire insurance company, corporation or association, except township mutual insurance companies, their officers or agents, shall make, issue, use or deliver for use any fire insurance policy on property in this state, other than such as shall conform in all particulars as to blanks, size of type, context, provisions, agreements and conditions with the printed forms of contract or policy so filed in the office of the commissioner of insurance as provided for in sections * * * *1941r and 1941—62 to 1941—65, all inclusive*, and no other or different provision, agreement, condition or clause shall in any manner

be made a part of said contract or policy, or be indorsed thereon or delivered therewith except as follows, to wit:

SECTION 14. Section 1941—65 is amended to read: Section 1941—65. Any insurance company, its officers or agents or either of them, violating any provision of sections * * * *1941x and 1941—62 to 1941—65*, inclusive, by making, issuing, delivering or offering to deliver any policy of fire insurance on property in this state, except as hereinbefore provided, shall be guilty of a misdemeanor and upon complaint made by the commissioner of insurance or any citizen of this state shall, upon conviction thereof, be punished by a fine of not less than fifty dollars nor more than one hundred dollars for the first offense, and of not less than one hundred dollars nor more than two hundred and fifty dollars for each subsequent offense; but any policy so made, issued and delivered shall, nevertheless, be binding upon the company issuing the same, and such company shall thereafter be disqualified from doing any insurance business in this state.

SECTION 15. Subsection 1 of section 1943m is amended to read: (Section 1943m) 1. No person, other than an agent holding a certificate of authority under section 1976, shall make any adjustment of loss or damage * * * *under an insurance policy covering hazard described in subsections 1, 2, 11, 12, and 14 of section 1897*, unless he shall hold a certificate of authority from the commissioner of insurance under this section or after making the first adjustment within any license year, make application for such certificate of authority as provided in this section.

SECTION 16. There is added to section 1943m a new subsection to read: (Section 1943m) 11. Any person convicted of violating any of the provisions of this section shall be subject to a fine of not more than five hundred dollars for each violation or imprisonment in the county jail for a period not exceeding six months.

SECTION 17. Section 1946—18 is amended to read: Section 1946—18. The provisions of this act shall not apply to town mutual companies *nor to domestic mutual cyclone insurance companies operating on the assessment plan*.

SECTION 18. Section 1947a is amended to read: Section 1947a. Any life insurance company incorporated under the laws of this state, may engage in the business of personal, accident and health insurance, as its articles of association shall provide, and may issue such contracts either independently of or in conjunction with its life or endowment policies; provided,

that no accident, health or disability benefits except total and permanent disability benefits may be incorporated in its life or endowment policies and that when the total and permanent disability benefits are incorporated in, or contained in contracts issued in conjunction with its life or endowment policies and when accidental death benefits are contained in separate and distinct contracts issued in conjunction with such policies and valued under the provisions of section 1950d—3 and subsection (g) of section 1950—1, section 1960, except subdivision (2) of subsection 12, shall not apply. Any foreign life insurance company, by complying with this section, may also be licensed to transact such business, if authorized so to do by its charter or articles of organization * * * and by the state in which it is incorporated.

SECTION 19. The first paragraph of subdivision (d) of subsection 2 of section 1958 is amended to read: (Section 1958) (2) (d) (First paragraph) Every contract or certificate of insurance issued or delivered by any fraternal benefit society, hereafter organized or admitted in this state, shall * * * *have attached thereto a copy of any application referred to therein and shall contain:*

SECTION 20. Subdivision (d) of subsection 15 of section 1958 of the statutes is repealed.

SECTION 21. Subsection 28 of section 1959 is amended to read: (Section 1959) 28. When the commissioner of insurance on investigation is satisfied that any *domestic or foreign society transacting business as a fraternal benefit society has exceeded its powers, or has failed to comply with any provisions of the laws relating to fraternal benefit societies or is soliciting business by the use or circulation of any printed matter or advertisement misrepresenting its contracts or conditions or is otherwise conducting business fraudulently, or in any way hazardous to its members, creditors or the public, or is not carrying out its contracts in good faith, or shall fail to file with him a copy of any form of its contract before it shall be issued or delivered in this state, he shall notify the society of his findings, and state in writing the grounds of his dissatisfaction, and after reasonable notice, require said society, on a date named, to show cause why its license should not be refused or revoked. If on the date named in said notice such objections have not been removed to the satisfaction of the said commissioner, or the society does not present good and sufficient reasons why its authority to transact business in this state should not at that time be refused or revoked, he may refuse to renew or revoke the authority of*

the society to continue business in this state. All decisions and orders of the commissioner of insurance relating to fraternal benefit societies may be reviewed as provided for the review of orders relating to insurance companies.

SECTION 22. There is added to the statutes a new section to read: Section 1955y—3. (a) Assessment health and accident associations may be incorporated as provided in sections 1896 to 1901, inclusive.

(b) Before such association shall be licensed to transact business at least five hundred persons shall have made application in writing for membership in such proposed association and shall each have deposited the premium for one year of insurance.

(c) No such association shall be formed for the purpose of engaging in any other kind of insurance than that specified in subdivision (4) of section 1897.

(d) Every policy or certificate issued by any corporation or association transacting business under this section shall have conspicuously printed on the face of such policy or certificate the words "assessment system."

SECTION 23. This act shall take effect upon passage and publication.

Approved June 25, 1919.

No. 47, A.]

[Published June 30, 1919.

CHAPTER 426.

AN ACT directing the industrial commission to compile and codify certain laws of this state relating to labor.

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

SECTION 1. Immediately after the adjournment sine die of the regular session of the legislature for the year 1919, the industrial commission shall compile and codify the following statutes of this state relating to labor: Sections 1021o to 1021r, inclusive; 1636—13; 1636—71 to 1636—77, inclusive; 1636—101 to 1636—109, inclusive; 1636—131 to 1636—135, inclusive; 1636—180 to 1636—201; 1728—1 to 1728—4, inclusive; 1728a to 1728za, inclusive; 1728n; 1729; 1729a, 1729a—10; 1729m to 1729n, inclusive; 1729p—1; 1729s—1 to 1729s—12, inclusive; 1747a; 1747am; 1747an; 1747a—1 to 1747a—5, inclusive; 1747b to 1747dd, inclusive; 1791n; 1809i to 1809j, inclusive; 1815; 1815a; 1816; 1809r to 1809w, inclusive; 1809l to 1809o, inclusive; 2377; 2394—1 to 2394—31, inclusive; 2394—35 to 2394—40, inclusive; 2394—41 to 2394—70, inclusive; 2394—82 to 2394—96, inclusive; 2577; 2787a; 2313a; 3315 to 3357, in-