

tion plans for additions and alterations to buildings, where such buildings are not of the class described by 101.31 (10) violates 101.31 (1) (b) and (1) (c). 41 Atty. Gen. 336.

Interpretations of 101.31 (2) (b), (2) (d), and (10) (b), published by the registration board under authority of 101.31 (4) (d), and properly filed as required by 227.03 are valid. The interpretations are rules under 227.01 (2). Approval of the attorney general is not required to make them effective. 41 Atty. Gen. 392.

101.31 (14) (b) does not refer to officials of the industrial commission. 44 Atty. Gen. 126.

Under 101.31 (7) (a), plans, sheets of design and specifications furnished by a corporation engaged in the practice of architecture must bear the signature of the registered architect in responsible charge, and under Rule A-E 1.04 of the board there must also be affixed the seal or rubber stamp of such architect. 45 Atty. Gen. 163.

The board has no authority to make United States citizenship a prerequisite for registration as an architect. 45 Atty. Gen. 284.

Survey of structures for civil defense under contract requires the services of a registered professional engineer or architect. 48 Atty. Gen. 73.

The registration board of architects has the duty to see that proper investigation is made and to institute criminal proceedings in proper cases. No personal liability would occur if proper action was taken. 49 Atty. Gen. 43.

For discussion of 101.31 (2) (b) and (d) regarding professional services and licensing see 50 Atty. Gen. 69.

An architect or professional engineer who has held a registration subsequent to 1931, which has expired, may have it renewed by paying the required fee and penalty and need not qualify as a new applicant. 52 Atty. Gen. 268.

As to violations or possible violations by a corporation which uses the word "engineering" or "engineer" in its corporate name without complying with 101.31 (7) (b), Stats. 1963, see 53 Atty. Gen. 81.

For discussion of the rules and regulations governing the issuance of certificates of registration to architects on the basis of reciprocity see 54 Atty. Gen. 181.

A nonregistered person who testifies before a court or administrative agency as an expert witness on a subject within the field of professional engineering does not thereby violate the provisions of 101.31, Stats. 1967. 57 Atty. Gen. 8.

See note to 101.09, citing 57 Atty. Gen. 15.  
See note to 15.405, citing 57 Atty. Gen. 160.

**443.02 History:** 1955 c. 547; Stats. 1955 s. 101.315; 1959 c. 581; 1963 c. 6; 1965 c. 198; 1969 c. 276 s. 584 (1) (b); 1969 c. 336 ss. 9, 10; 1969 c. 392 s. 69e; Stats. 1969 s. 443.02.

A land surveyor, previously registered and whose registration has expired for more than 2 years, may renew his registration by paying a fee of \$30 and does not have to qualify as a new applicant. 52 Atty. Gen. 271.

A corporation or partnership can practice or offer to practice land surveying through persons duly registered with the state regis-

tration board, even though such corporation or partnership cannot be registered. 53 Atty. Gen. 35.

#### CHAPTER 444.

##### Athletic Examining Board.

**444.01 History:** 1969 c. 336 s. 162; Stats. 1969 s. 444.01.

**444.02 History:** 1915 c. 272; Stats. 1915 s. 1636—241 sub. 2 (a-2); 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (5); 1945 c. 401; Stats. 1945 s. 169.05; 1969 c. 336 ss. 140, 175 (3); Stats. 1969 s. 444.02.

Boxing exhibitions conducted under sec. 1636-241, Stats. 1913, do not differ in legal status from any other lawful entertainment but are private enterprises conducted for profit and controlled by the proprietor, except for statutory regulation. The sheriff has no right to demand free admission at such an exhibition for himself and a large number of his deputies for the mere purpose of witnessing the exhibition, and in doing so acts outside his official authority. 3 Atty. Gen. 809.

Gross receipts from the sale of tickets at a boxing exhibition do not include the amount received for federal tax. 9 Atty. Gen. 563.

A performance that merely reproduces by illustration blows delivered in an actual boxing or sparring match is not a violation of law. 10 Atty. Gen. 717.

The state athletic commission when performing a governmental function is not liable for torts of its officers or members of the commission. A contestant in a boxing contest cannot recover damages for injuries under the terms of the contract submitted unless a club violates the rules of the commission governing place, equipment, etc. 24 Atty. Gen. 685.

A contest described as "wrestling with gloves" can be considered a form of "boxing" or "prize fighting" depending on whether a prize is or is not offered based upon the outcome. Insofar as such a contest constitutes "boxing," it cannot lawfully be held in the state except pursuant to authority granted by the state athletic commission as provided in ch. 169. In event such a contest is held and it further appears that the participants have agreed in advance that it be for the possession of any prize, belt or other evidence of championship, it would also be in violation of 347.11. 36 Atty. Gen. 171.

Boxing or sparring for training purposes does not constitute a boxing or sparring exhibition within the sense of those terms as used in ch. 169, and is not subject to the regulatory powers of the state athletic commission. 44 Atty. Gen. 336.

**444.03 History:** 1913 c. 632; 1913 c. 773 s. 85; Stats. 1913 s. 1636—241 sub. 2a; 1915 c. 272; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (7); 1925 c. 365; 1935 c. 512; 1945 c. 401; Stats. 1945 s. 169.07; 1969 c. 336 s. 141; Stats. 1969 s. 444.03.

**444.04 History:** 1913 c. 632; Stats. 1913 s. 1636—241 sub. 3; 1915 c. 272; 1923 c. 291 s. 3; Stats. 1923 s. 169.01 (8); 1945 c. 401; Stats. 1945 s. 169.08; 1953 c. 628; 1965 c. 243; 1969 c. 336 s. 142; Stats. 1969 s. 444.04.

**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.