

follows: "Section 1. The governor is hereby authorized to appoint a commission, not later than the first day of July, 1905, consisting of three members, who shall serve without pay for services or expenses to investigate the advisability of establishing and maintaining *state parks* about Devils Lake, Sauk county, and the *Dells of Wisconsin* in Juneau, Adams, Columbia and Sauk counties, Wisconsin."

Duty of; report. SECTION 2. Section 2 of chapter 232 of the laws of 1903 is hereby amended so as to read as follows: "Section 2. It shall be the duty of the commissioners to investigate and report to the governor on or before March 1st, 1906, as to the advisability of purchasing lands about, upon and surrounding Devils Lake, in Sauk county, Wisconsin, and the *Dells of Wisconsin*, in Juneau, Adams, Columbia and Sauk counties, Wisconsin, for the purpose of establishing *state parks* thereon."

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 4, 1905.

No. 145, S.]

[Published May 6, 1905.

CHAPTER 170.

AN ACT to regulate the consolidation and reinsurance of domestic insurance companies transacting the business of life, accident or health insurance.

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

Consolidation and reinsurance. SECTION 1. No company organized under the laws of this state to do the business of life, accident or health insurance, either on the stock, mutual stipulated premium, assessment, or fraternal plan, shall consolidate with any other company, or reinsure its risks, or any part thereof with any other company, or assume or reinsure the whole of, or any portion of the risks of any other com-

pany, except as hereinafter provided, but nothing herein contained shall prevent any such company, organized on the stock or mutual plan, from reinsuring a fractional part of any single risk.

Petition for. SECTION 2. When any such company shall propose to consolidate with any other company, or to enter into any contract of reinsurance, it shall present its petition to the commissioner of insurance of this state, setting forth the terms and conditions of such proposed consolidation or reinsurance, and praying for the approval or of any modification thereof, which the commission hereinafter provided for may approve.

Order of notice to policy holders. SECTION 3. The commissioner of insurance shall thereupon issue an order of notice, requiring notice to be given by mail to each policy holder of such company, of the pending of such petition, and the time and place at which hearing thereon will be held, and shall publish the said order of notice and said petition in five daily newspapers, one of which shall be the official state paper, for at least two weeks before the time appointed for the hearing upon said petition.

Commission for hearing petition. SECTION 4. The governor, or in event of his inability to act, some competent person resident of the state to be appointed by him, the attorney general, and the commissioner of insurance of the state, shall constitute a commission to hear and determine upon said petition. At the time and place fixed in said notice, or at such time and place as shall be fixed by adjournment, the commission shall proceed with the hearing, and may make or order such examination into the affairs and condition of said company as it may deem proper. The commissioner of insurance shall have the power to summon and compel the attendance and testimony of witnesses and the production of books and papers before said commission. Any policy holder or stockholder of the company or companies so petitioning may appear before said commission and be heard in reference to said consolidation or reinsurance. Said commission, if satisfied that the interest of the policy holders of such company or companies are properly protected, and that no reasonable objection exists thereto, may approve and authorize the proposed consolidation or reinsurance, or may modify or change

the terms and conditions thereof as may seem best for the interests of the policy holders, and said commission may make such order with reference to the distribution and disposition of the surplus assets of any such company thereafter remaining, as shall be just and equitable to the policyholders. Such consolidation or reinsurance shall only be approved by the consent of all the members of said commission, and it shall be the duty of said commission to guard the interests of the policy holders of any such company or companies proposing to consolidate or reinsure.

Expenses of proceedings, how paid. SECTION 5. All actual expenses and costs incident to proceedings under the provisions of this act shall be paid by the company or companies bringing said petition, and an itemized statement of the expenses and costs shall be filed in the department of insurance with a certified copy of the decision of the commission. No officer of any such company or companies, nor members of said commission, or employee of the state, shall receive any compensation, gratuity or otherwise, directly or indirectly for in any manner aiding, promoting, or assisting in such consolidation or reinsurance.

Penalty. SECTION 6. Any officer, director or stockholder of any such company or companies, or any member of such commission or employee of the state, violating or consenting to the violation of the provisions of this act shall be punished by a fine of not less than ten thousand dollars and by imprisonment for not less than one year, nor more than ten years.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved May 5, 1905.