

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

SECTION 1. There is appropriated from the general fund two thousand five hundred dollars to Marshall P. Shaw and to Lulu P. Shaw, his wife, of Portage, Wisconsin, to compensate them for the death of their son, Francis Shaw, who died August 12, 1930, at the age of nineteen of acute appendicitis contracted while on duty at Camp Williams with company F, 128 Infantry, Wisconsin National Guard. Acceptance of this appropriation shall operate as a full and complete release to the state of any claim on the part of said Marshall P. Shaw on account of such death.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 29, 1931.

No. 303, A.]

[Published July 2, 1931.]

CHAPTER 413.

AN ACT to amend subsection (1) of section 102.17 of the statutes, relating to administration of the workmen's compensation act.

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

SECTION 1. Subsection (1) of section 102.17 of the statutes is amended to read: (102.17) (1) (a) Upon the filing with the commission by any party in interest of any application in writing stating the general nature of any claim as to which any dispute or controversy may have arisen, it shall mail a copy of such application to all other parties in interest and the insurance carrier shall be deemed a party in interest. The commission may bring in additional parties by service of a copy of the application. The commission shall fix a time for the hearing on such application which shall not be more than forty days after the filing of such application. The commission shall cause notice of such hearing, to be given to each party interested, by service of such notice on him personally or by mailing a copy thereof to him at his last known post-office address at least ten days before such hearing. In case a party in interest is located without the state, and has no post-office address within this state, the copy of the application and

copies of all notices shall be filed in the office of the secretary of state and shall also be sent by registered mail to the last known post-office address of such party. Such filing and mailing shall constitute sufficient service, with the same force and effect as if served upon a party located within this state. Such hearing may be adjourned from time to time in the discretion of the commission, and hearings may be held at such places as the commission shall designate. Either party shall have the right to be present at any hearing, in person or by attorney, or any other agent, and to present such testimony as may be pertinent to the controversy before the commission * * * .

(b) The commission may, with or without notice to either party, cause testimony to be taken, or an inspection of the premises where the injury occurred to be had, or the time books and pay rolls of the employer to be examined by any member of the commission or any examiner appointed by it, and may from time to time direct any employe claiming compensation to be examined by a regular physician; the testimony so taken, and the results of any such inspection or examination, to be reported to the commission for its consideration upon final hearing. All ex parte testimony taken by the commission shall be reduced to writing and either party shall have opportunity to rebut the same on final hearing.

(c) *Whenever the testimony presented at any hearing indicates a dispute, or is such as to create doubt, as to the extent of disability, the commission may on its own motion or, if the employer or injured employe so request, it shall direct that the injured employe be examined by an impartial, competent physician designated by the commission who is not under contract with or regularly employed by a compensation insurance carrier or self insured employer. The expense of such examination shall be paid by the employer. The report of such examination shall be transmitted in writing to the commission and a copy thereof shall be furnished by the commission to each party who shall have an opportunity to rebut the same on further hearing.*

SECTION 2. This act shall take effect upon passage and publication.

Approved June 27, 1931.