

in subsection 1, requesting that it be relieved of the duty imposed by said subsection, as to such crossing or crossings as are described in said petition, stating the reasons therefor. Thereupon it shall be the duty of said commission to give notice to all interested persons, including the governing body of the town, village or city, in which any such crossing is located, of the filing of such petition and to order a hearing thereon in the manner provided for hearings in section 1797—12. If upon such hearing it shall appear to the satisfaction of the commission that arrangements have been made which will protect the traveling public at the crossing or crossings described in the petition it shall make an order granting the request of said corporation. If arrangements have not been made satisfactory to said commission it may make an order granting the request of such corporation under such conditions as it may prescribe.

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

Approved July 5, 1921.

No. 376, S.]

[Published July 8, 1921.

CHAPTER 464.

AN ACT to repeal sections 1409—1, 1409—3, and 1409—5; and to create three new sections to be numbered sections 1409—1, 1409—3, and 1409—5 of the statutes, relating to the licensing of embalmers.

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

SECTION 1. Sections 1409—1, 1409—3, and 1409—5 of the statutes are repealed.

SECTION 2. Three new sections are added to the statutes to be numbered and to read: Section 1409—1. 1. The state board of health is hereby authorized and empowered to determine the qualifications necessary to enable any person to lawfully and properly embalm dead human bodies and disinfect the premises where such bodies may have been, and to adopt and enforce such other rules and regulations governing the education, examination, and licensing of funeral directors and embalmers as said board may consider necessary. The said board shall appoint a committee of examiners for the examining of embalmers, con-

sisting of three licensed embalmers who, under the supervision of the state board of health, shall conduct all examinations and shall submit to the board its recommendations. The state board of health shall issue an embalmer's license to all persons who successfully pass such examination. No person shall embalm any dead human body, unless he or she shall hold a valid, unrevoked and unexpired license from the Wisconsin state board of health authorizing him or her to practice the art of embalming. It shall be unlawful for any person not a licensed undertaker, funeral director or embalmer as herein provided, to act as an embalmer, assistant embalmer, undertaker or funeral director, or to prepare dead human bodies for burial, cremation, or transportation, except under the immediate and personal direction of a licensed embalmer, and any person practicing the art of embalming, or advertising or holding himself out to the public as an embalmer, or undertaker, or funeral director, or using any other title intending to imply or designate him or her as an embalmer, undertaker or funeral director by card, sign, solicitation or otherwise without first obtaining a license from the state board of health, shall be deemed guilty of a violation of this section. Nothing in this section shall prohibit a person from caring for and burying the deceased members of his own family, or caring for and burying the dead without compensation.

2. The term "embalming" as used in this section shall be taken to mean the disinfection or preservation of the dead human body, entire or in part, by the use of chemical substance, embalmers' fluids or gases on the body, or by the introduction of the same into the body, by either arterial or cavity embalming or hypodermic injection of fluid ordinarily used in embalming. The finding of any such chemical substance, fluid or gas, ordinarily used in embalming, or any trace, evidence or appearance thereof upon a dead human body, the use of which is prohibited by law, except by a licensed embalmer, or the placing thereof upon a dead human body by any person who is not a holder of a valid, unrevoked and unexpired embalmer's license from the state board of health, shall constitute prima facie evidence of the violation of the terms of this section. Provided, that nothing in this section shall apply to any assistant embalmer who prepares dead human bodies for burial or cremation under the personal supervision of a licensed embalmer. Any undertaker or funeral director who on January 1, 1921, was engaged in the undertaking business shall be licensed

by the state board of health without examination upon the payment to the state board of health of the fee required by section 1409—3.

3. After the first day of July, 1921, it shall also be unlawful for any licensed, embalmer, funeral director, or undertaker to employ a student embalmer without a certificate of registration issued by the state board of health, pursuant to the provisions of section 1409—1. No student embalmer may independently practice embalming. A person is qualified to receive a certificate of registration as a student embalmer:

- (a) Who is at least eighteen years of age;
- (b) Who is of good moral character and temperate habits;
- (c) Who has graduated from the eighth grade of a common school or who has completed an equivalent course of study as determined by the state board of health; and
- (d) Who has entered upon the study of embalming under a licensed embalmer.

4. Every person who desires to obtain a certificate of registration as a student shall apply therefor to the state board of health in writing upon blanks prepared and furnished by the board. Each application shall contain proof of the particular qualifications required of the applicant and shall be verified by the applicant under oath. Whenever the provisions of this section have been complied with the state board of health, embalmers' department, shall issue certificate of registration as a registered student embalmer, as the case may be.

5. Every registered student, upon changing his place of employment shall notify the said authorities of the state board of health by filling out the proper blank.

6. A person is qualified to take an examination for embalmer's license who is:

- (a) Twenty-one years of age; and
- (b) Who is of good moral character and temperate habits; and
- (c) Who is a graduate from the eighth grade of a public school, or who has completed an equivalent course of study; and
- (d) Who shall have been employed for at least two years under a licensed embalmer as a registered student and shall have had at least two years of practical instructions in embalming and disinfecting under a licensed embalmer or embalmers, in all cases of embalming incident to said undertakers' ordinary business, pro-

vided the applicant has assisted in embalming at least fifty bodies ;
or

(e) Who has graduated from a school of embalming which requires as a prerequisite to graduation the completion of a course of study of at least ten weeks' duration, approved by the state board of health and the board of examiners for embalmers ; and

(f) Who has studied embalming in this state under a licensed embalmer for at least one year under the provisions in paragraph (d). However, no credit shall be given for the study of embalming in this state under a licensed embalmer after the first day of July, 1921, unless the applicant during the period of study was a registered student. The time spent in the study of embalming under an embalmer, registered or licensed under the laws of another state or territory of the United States or of a foreign country or province, may be credited on the period of study required by the provisions of this paragraph.

7. The state board of health may, in its discretion, revoke and cancel any license or renewal of license issued by it when :

(a) The holder thereof is not a person of good moral character ; or

(b) The holder thereof shall be guilty of gross or wilful malpractice of the science of embalming ; or

(c) The holder thereof shall be guilty of wilfully violating any rule or regulation of the state board of health, or any law or regulation of any municipality, governing the disposition of dead human bodies ; or

(d) The holder thereof shall have wilfully signed a certificate of having embalmed or prepared a body when in fact some one else did it ; or

(e) The holder thereof shall be guilty of gross or wilful neglect in the conduct of the profession ; or

(f) The holder thereof shall have knowingly and wilfully made false statements to this board in his application for examination ;
or

(g) The holder thereof shall ship dead human bodies in violation of the transportation rules ; or

(h) The holder thereof shall have been guilty of any violation of any rule or regulation of this board.

Section 1409—3. Each application for an embalmer's license shall be made in writing, on blanks prescribed by the state board

of health, and filed with the secretary of said board, and shall be accompanied by an examination fee of five dollars.

Section 1409—5. Any person holding an embalmer's license under sections 1409—1 to 1409—9, inclusive, may have the same renewed for not to exceed one year, by making and filing with the secretary of said board an application therefor within thirty days preceding the expiration of his or her license, upon blanks prescribed by the said board and upon payment of two dollars renewal fee; provided, however, that any person neglecting or failing to have his license renewed as above, may have the same renewed by making application therefor within thirty days after date of expiration, and upon payment of two dollars revival and renewal fees. All embalmers' licenses and all renewal licenses issued by said board shall expire on December thirty-first next succeeding the date of issuance thereof.

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

Approved July 5, 1921.

No. 418, S.]

[Published July 8, 1921.

CHAPTER 465.

AN ACT to amend section 1903 of the statutes, relating to investments of domestic insurance companies.

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

SECTION 1. Section 1903 of the statutes, is amended to read: Section 1903. Except as otherwise provided by law, a domestic insurance corporation may invest its assets as follows:

(a) In the lawfully authorized bonds or other evidences of indebtedness of the United States or of any state of the United States, or of the Dominion of Canada or of any province thereof.

(b) In the lawfully authorized bonds or other evidences of indebtedness of any county, city, town, village, school district or other municipal district within the United States or the Dominion of Canada, which shall be a direct obligation of the county, city, town, village or district issuing the same; provided, that any such municipal district other than a county, city, town, village or school district shall have a population according to the last national or state census preceding the date of such investment of not less than one hundred thousand.