

CHAPTER 44—H. F. No. 62.

An act to amend section 8207, G. S. 1913, as amended by chapter 351 G. L. 1917 as amended by chapter 442 Laws of 1919 relating to the liability of employers to compensate employes for personal injury and fixing a scale of compensation therefor.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Compensation for various injuries not to be limited.—Section 8207, G. S. 1913, as amended by chapter 351, G. L. 1917, as amended by chapter 442, Laws 1919, is hereby amended to read as follows:

Section 8207. Following is the schedule of compensation:

(a) For injury producing temporary total disability, sixty-six and two-thirds per centum of the wages received at the time of injury, subject to a maximum compensation of fifteen (\$15.00) dollars per week and a minimum of six and one-half (\$6.50) dollars per week; provided, that if at the time of injury the employe receives wages of less than six and one-half (\$6.50) dollars per week, then he shall receive the full amount of such wages per week. This compensation shall be paid during the period of such disability not, however, beyond three hundred weeks, payment to be made at the intervals when the wage was payable, as nearly as may be.

(b) In all cases of temporary partial disability the compensation shall be sixty-six and two-thirds per cent of the difference between the wage of the workman at the time of the injury, and the wage he is able to earn in his partially disabled condition. This compensation shall be paid during the period of such disability, not, however, beyond three hundred weeks, payment to be made at the intervals when the wage was payable as nearly as may be and subject to the same maximum as stated in clause (a).

(c) For the permanent partial disability, the compensation shall be based upon the extent of such disability. In cases included by the following schedule the compensation shall be that named in the schedule, to-wit:

For the loss of a thumb, sixty-six and two-thirds per centum of daily wages during sixty (60) weeks.

For the loss of a first finger, commonly called index finger, sixty-six and two-thirds per centum of daily wages during thirty-five (35) weeks.

For the loss of a second finger, sixty-six and two-thirds per centum of daily wages during thirty (30) weeks.

For the loss of a third finger, sixty-six and two-thirds per centum of daily wages during twenty (20) weeks.

For the loss of a fourth finger, commonly called the little finger, sixty-six and two-thirds per centum of daily wages during fifteen (15) weeks.

The loss of the first phalange of the thumb, or of any finger, shall be considered equal to the loss of one-half of such thumb, or finger, and compensation shall be paid at the prescribed rate during one-half the time specified above for such finger or thumb.

The loss of more than one phalange shall be considered as the loss of the entire finger or thumb, provided, however, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

For the loss of a great toe, sixty-six and two-thirds per centum of daily wages during thirty (30) weeks.

For the loss of one of the toes other than a great toe, sixty-six and two-thirds per centum of daily wages during ten (10) weeks.

The loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of such toe, and compensation shall be paid at the prescribed rate during one-half the time specified above for such toe.

The loss of more than one phalange shall be considered as the loss of the entire toe.

For the loss of a hand, sixty-six and two-thirds per centum of daily wages during one hundred and fifty (150) weeks.

For the loss of an arm, sixty-six and two-thirds per centum of daily wages during two hundred (200) weeks.

For the loss of an arm below the elbow, sixty-six and two-thirds per centum of daily wages during one hundred and seventy-five (175) weeks.

For the loss of a foot, sixty-six and two-thirds per centum of daily wages during one hundred and twenty-five (125) weeks.

For the loss of a leg, sixty-six and two-thirds per centum of daily wages during one hundred and seventy-five (175) weeks.

For the loss of an eye, sixty-six and two-thirds per centum of daily wages during one hundred (100) weeks.

For the complete permanent loss of hearing in both ears, sixty-six and two-thirds per centum of daily wages during one hundred and fifty-six (156) weeks.

For the loss of an eye and a leg, sixty-six and two-thirds per centum of daily wages during three hundred and fifty (350) weeks.

For the loss of an eye and an arm, sixty-six and two-thirds per centum of daily wages during three hundred and fifty (350) weeks.

For the loss of an eye and a hand, sixty-six and two-thirds per centum of daily wages during three hundred and twenty-five (325) weeks.

For the loss of an eye and a foot, sixty-six and two-thirds per centum of daily wages during three hundred (300) weeks.

For the loss of two arms other than at the shoulder, sixty-six and two-thirds per centum of daily wages during four hundred (400) weeks.

For the loss of two hands, sixty-six and two-thirds per centum of daily wages during four hundred (400) weeks.

For the loss of two legs, sixty-six and two-thirds per centum of daily wages during four hundred (400) weeks.

For the loss of two feet, sixty-six and two thirds per centum of daily wages during four hundred (400) weeks.

For the loss of one arm and the other hand, sixty-six and two-thirds per centum of daily wages during four hundred (400) weeks.

For the loss of one hand and one foot, sixty-six and two-thirds per centum of the daily wages during four hundred (400) weeks.

For the loss of one leg and the other foot, sixty-six and two-thirds per centum of the daily wages during four hundred (400) weeks.

For the loss of one leg and one hand, sixty-six and two-thirds per centum of the daily wages during four hundred (400) weeks.

For the loss of one arm and one foot, sixty-six and two-thirds per centum of daily wages during four hundred (400) weeks.

For the loss of one arm and one leg, sixty-six and two-thirds per centum of daily wages during four hundred (400) weeks.

Where an employe sustains concurrent injuries resulting in concurrent disabilities, he shall receive compensation only for the injury which produced the longest period of disability; but this section shall not affect liability for the concurrent loss of more than one member, for which members compensation are provided in the specific schedule and in subsection (e) below.

In all cases of permanent partial disability it shall be considered that the permanent loss of the use of member shall be equivalent to and draw the same compensation as the loss of that member; but the compensation in and by said schedule provided, shall be in lieu of all other compensation in such cases.

In cases of permanent partial disability due to injury to a member, resulting in less than total loss of such member not otherwise compensated in this schedule, compensation shall be paid at the prescribed rate during that part of the time specified in the schedule for the total loss of the respective member, which the extent of injury to the member bears to its total loss.

All compensation provided in clause (c) of this section for loss of members or loss of use of members are subject to the same limitations as to maximum and minimum as are stated in clause (a).

In all other cases of permanent partial disability not above enumerated the compensation shall be sixty-six and two-thirds per centum of the difference between the wage of the workman at the time of the injury and the wage he is able to earn in his partially disabled condition subject to a maximum of fifteen (\$15.00) dollars per week. Compensation shall continue during disability, not, however, beyond three hundred (300) weeks.

(d) For permanent total disability as defined in subsection (e) below, sixty-six and two-thirds per centum of the wages received at the time of the injury, subject to a maximum compensation of fifteen (\$15.00) dollars per week and a minimum compensation of six and one-half (\$6.50) dollars per week, provided, that if at the time of injury the employe was receiving wages of less than six and one-half (\$6.50) dollars per week, then he shall receive the full amount of his wages per week. This compensation shall be paid during such permanent total disability not exceeding five hundred and fifty (550) weeks; but in all such cases drawing more compensation than six and one-half (\$6.50) dollars per week, the payments after the first four hundred (400) weeks, shall be reduced to six and one-half (\$6.50) dollars per week for the remainder of the five hundred and fifty (550) weeks, while the permanent total disability continues: payments to be made at the intervals when the wage was payable as nearly as may be. Provided, however, that in case an employe who is permanently and totally disabled, becomes an inmate of a public institution, then no compensation shall be payable unless he has wholly dependent on him for support a person or persons named in subsections (1), (2), and (3), of section 14 (whose dependency shall be determined as if the employe were deceased); in which case the compensation provided for in this subsection shall be paid for the benefit of said persons so dependent during dependency, in such institution.

(e) The total and permanent loss of the sight of both eyes or the loss of both arms at the shoulder, or complete and permanent paralysis, or total and permanent loss of mental faculties, or any other injury which totally incapacitates the employe from working at an occupation which brings him an income, shall constitute total disability.

(f) In case a workman sustains an injury due to accident arising out of and in the course of his employment, and during the period of disability caused thereby, death results proximately therefrom, all payments previously made as compensation for such injury shall be deducted from the compensation, if any, due on account of death.

Approved September 22, 1919.

CHAPTER 45—H. F. No. 63.

An act creating a commission to be known and designated as the Fergus Falls Tornado Relief Commission, defining the powers and duties thereof relative to providing relief, preserving public health, promoting public interest and public welfare, and furthering the cause of education in the city of Fergus Falls, devastated by cyclone on June 22, 1919, and appropriating funds therefor.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Fergus Falls relief commission.**—There is hereby created a commission to be known and designated as the Fergus Falls Tornado Relief Commission.

Sec. 2. **Membership.**—Said commission shall consist of Senators Frank H. Peterson of Clay county, James Cummings of Polk county, Ole O. Sangeng of Otter Tail county and Representatives Elmer E. Adams of Otter Tail county, and Theodore Christianson of Lac qui Parle county, who shall serve until the work of the commission has been completed. The members of said commission shall serve without pay.

Sec. 3. **Organization.**—The commission shall organize in such manner as it may seem best to carry out the provisions of this act.

Sec. 4. **Authority for expenditures.**—The commission shall have and is hereby given authority to do any and all things by it deemed to be advisable and necessary to provide relief, preserve public health, promote public interest and public welfare, and further the cause of education in the city of Fergus Falls devastated by cyclone on June 22, 1919, and in so doing the commission is hereby authorized to expend not to exceed one hundred sixty-five thousand dollars (\$165,000) in such manner and at such times as it may deem advisable.

Sec. 5. **\$165,000 appropriated.**—To enable the commission to carry out the provisions of this act and for the purposes designated in section 4 of this act there is hereby appropriated from the general revenue fund of the state for the year 1920, not otherwise appropriated, the sum of one hundred sixty-five thousand dollars (\$165,000).