

motor vehicle so engaged has submitted and presented to said Registrar satisfactory evidence as to such owner's compliance with the terms and conditions of Chapter 170, Laws of 1933, as amended by Chapter 397, Laws of 1933, relating to the permit from the Railroad and Warehouse Commission, and the payment of the fee therein and the depositing of public liability insurance or bond as required by said laws.

Provided, further, that every owner of a motor vehicle subject to the provisions of this act, Subdivision (a)-3 and (a)-4 hereof, shall also deposit with said Registrar of Motor Vehicles the sum of \$50.00 for each and every motor vehicle required to be registered hereunder as security that the owner of said motor vehicle will pay the tax due hereunder and make such reports as required herein or as may be required by the Registrar of Motor Vehicles. The combination of a truck-tractor and semi-trailer and/or a tractor and trailer, shall, for the purposes of such deposit of \$50.00 herein provided for, be regarded and considered as one motor vehicle.

If the owner of such motor vehicle shall fail to file the required reports and pay the tax, if any, within 10 days after the required time for filing such reports, the Registrar of Motor Vehicles shall promptly, upon the expiration of said ten day period, declare a forfeiture of the whole of said \$50.00 deposit for each motor vehicle to the State and should said sum of \$50.00 be insufficient to fully pay the truck-mile tax then due, an action shall be brought in the name of the State of Minnesota to recover the deficiency thereof.

If the owner of such vehicle shall fail to file the required reports or pay the tax within the time required, the Registrar of Motor Vehicles shall also cancel and take up the license plate issued on such vehicle and notify the Railroad and Warehouse Commission of such action.

Approved April 29, 1935.

CHAPTER 311—S. F. No. 105

An act to amend Chapter 21, Special Session Laws of Minnesota for 1933, relating to the amount which the employer shall pay into the special compensation fund in case of death of an employe when there are no persons entitled to compensation and in cases of loss or loss of use of members.

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

Section 1. **Injury increasing disability.**—That Chapter 21, Special Session Laws of Minnesota for 1933, be, and the same is hereby, amended to read as follows:

4276. If an employe receive an injury which of itself would cause only permanent partial disability, but which, combined with a previous disability, does in fact cause permanent total disability, the employer shall only be liable for the permanent partial disability caused by the subsequent injury.

Provided, however, that in addition to compensation for such permanent partial disability and after the cessation of the payments for the prescribed period of weeks, the employe shall be paid by the state the remainder of the compensation that would be due for permanent total disability, out of a special fund known as the Special Compensation Fund, and created for such purpose in the following manner:

A. In every case of death of an employe resulting from an accident arising out of and in the course of his employment, where there are no persons entitled to compensation, the employer shall pay to the *Industrial Commission* the sum of \$300.00

B. *Whenever an employe shall suffer a compensable injury, which results in permanent partial disability by reason of the total loss of a member or members, or injury to a member or members resulting in less than a total loss of such member, and which injury entitles him to compensation pursuant to paragraph (c) of Section 4274, Mason's Statutes, 1927, the employer or his insurer shall, in addition to the compensation provided for in said paragraph (c), pay to the Industrial Commission for the benefit of the Special Compensation Fund a lump sum, without interest deductions, equal to one per cent of the total compensation to which the employe is entitled to under said paragraph (c) for said permanent partial disability, said sum to be paid to the Industrial Commission as soon as the total amount of the permanent partial disability payable for the particular injury is determined by the Industrial Commission, or arrived at by the agreement of the parties and such amount is approved by the Industrial Commission.*

Such sums as are paid to the Industrial Commission pursuant to the provisions hereof shall be by it deposited with the State Treasurer for the benefit of the Special Compensation Fund and be used to pay the benefits provided by this act. All moneys heretofore arising from the provisions of this sec-

tion shall be transferred to this Special Compensation Fund. All penalties collected for violation of any of the provisions of this Act shall be credited to this Special Compensation Fund.

The State Treasurer shall be the custodian of this Special fund and the Industrial Commission shall direct the distribution thereof, the same to be paid as other payments of compensation are paid. In case deposit is or has been made under the provisions of paragraph A of this section, and dependency later is shown, or if deposit is or has been made pursuant to *either paragraphs A and B* hereof by mistake or inadvertence, or under such circumstances that justice requires a refund thereof, the State Treasurer is hereby authorized to refund such deposit upon order of the Industrial Commission.

Sec. 2. This Act shall be in force from and after its passage.

Approved April 29, 1935.

CHAPTER 312—S. F. No. 107

An act to amend Chapter 161, Section 4 of the Laws of 1933, relating to the establishment and maintenance of the state compensation revolving fund and repealing Section 5 thereof.

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

Section 1. **Maintenance of fund.**—That Section 4 of Chapter 161 of Laws of 1933, be and the same is hereby amended to read as follows:

Section 4. This fund shall be maintained as follows:

(1) Every state department wherein the salaries of its employes are fixed by a managing or governing board, which board controls the expenditures of appropriations made to such departments, and which said departments are by section (3) hereof declared to be self-sustaining departments for the purpose of this act, and every state department or division thereof which is substantially financially self-sustaining by reason of income and revenue from its activities shall at the end of every fiscal year pay into such fund such sum as the Industrial Commission shall certify has been paid out of said revolving fund during said year to employes of said departments or divisions thereof or to dependents of said employes on account of compensation, medical, hospital or other