

## CHAPTER 76—S. F. No. 184

*An act relating to insuring the payment of compensation to injured employes; prescribing penalties for failure to insure; declaring non-compliance a gross misdemeanor; amending Minnesota Statutes 1941, Section 176.24.*

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

Section 1. Minnesota Statutes 1941, Section 176.24, is amended to read as follows:

**“176.24. Employer to insure employees; exceptions. Subdivision 1.** Every employer, except the state and the municipal subdivisions thereof, liable under this chapter to pay compensation shall insure payment of such compensation with some insurance carrier authorized to insure such liability in this state unless such employer shall be exempted from such insurance by the industrial commission. Nothing herein contained shall prevent any employer, with the approval of the commission, from excluding medical and hospital benefits as required in section 176.15. An employer conducting distinct operations or establishments at different locations may either insure or self-insure each separate establishment or operation and such other portion of his operations, which may be determined by the commission to be a distinct and separate risk. An employer desiring to be exempted from insuring his liability for compensation shall make application to the commission, showing his financial ability to pay such compensation, whereupon the commission, by written order, may make such exemption as it deems proper. The commission may from time to time require further statement of financial ability of such employer to pay compensation, and may, upon *ten* days' notice in writing, revoke its order granting such exemption, in which case such employer shall immediately insure his liability. As a condition for the granting of an exemption the commission shall have authority to require the employer to furnish such security as it may consider sufficient to insure payment of all claims under compensation. Where the security is in the form of a bond or other personal guaranty, the commission may, at any time either before or after the entry of an award, upon at least *ten* days' notice and opportunity to be heard, require the surety to pay the amount of the award, the same to be enforced in like manner as the award itself may be enforced.

*Subd. 2.* Any employer who shall fail to comply with the provisions of this section to secure payment of compensation shall be liable to the State of Minnesota for a penalty of \$50.00; and, in addition thereto, if the employer continues his non-

compliance, he shall be liable for five times the lawful premium, as determined by the compensation insurance board, for compensation insurance for such employer for the period he fails to comply with such provisions, commencing *ten* days after notice has been served upon such employer by the commission in the manner provided for the service of the summons in civil actions. Such penalties may be recovered jointly or separately in a civil action brought in the name of the state by the attorney general in any court having jurisdiction thereof, and it shall be the duty of the commission, whenever any such failure occurs, to immediately certify the fact thereof to the attorney general, and upon receipt of such certification the attorney general shall forthwith commence and prosecute such action. All penalties recovered by the state hereunder shall be paid into the state treasury, to be credited to the special compensation fund.

*Subd. 3. Any employer who wilfully and intentionally fails to comply with the provisions of subdivision 1 hereof, in addition to being subject to the penalty prescribed in subdivision 2, shall be guilty of a gross misdemeanor."*

Sec. 2. This act shall take effect and be in force on and after July 1, 1945.

Approved March 9, 1945.

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#### CHAPTER 77—S. F. No. 194

*An act relating to the collection of fines in traffic law violations; amending Minnesota Statutes 1941, Section 161.03, Subdivision 22.*

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

Section 1. Minnesota Statutes 1941, Section 161.03, Subdivision 22, is amended to read as follows:

**"161.03. Subdivision 22. Fines paid into separate fund; how used.** All fines, from traffic law violations, collected from persons apprehended or arrested by such employees, shall be paid into the state treasury *by the justice of the peace, or such other person or officer collecting such fines or installments thereof, within fifteen days after the last day of the month in which such fines were collected,* and shall be credited to a sepa-