

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-

rate fund hereby established for that purpose. Out of such fund shall first be paid to counties all costs and expenses incurred by them in the prosecution and punishment of persons so arrested and for which such counties have not been reimbursed by the payment of such costs and expenses by the person prosecuted, and so much of the fund as shall be necessary for the making of such reimbursement is hereby appropriated therefor. Such payment shall be made by the state treasurer upon the claim of the county verified by the county auditor. On the first day of each calendar month the money remaining in such fund shall be credited to that part of the trunk highway fund which is set apart for maintenance purpose; and so much of the maintenance fund as shall be necessary for the salaries and maintenance of such employees is hereby appropriated for that purpose."

Approved March 9, 1945.

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#### CHAPTER 78—S. F. No. 282

*An act relating to the public employees retirement association and to amend Minnesota Statutes 1941, Sections 353.01, Subdivision 8, 353.09, 353.11 and 353.14.*

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

Section 1. Minnesota Statutes 1941, Section 353.01, Subdivision 8, is amended so as to read as follows:

"353.01. **Definitions.** Subdivision 8. **Village.** 'Village' means and includes any incorporated village of this state."

Sec. 2. Minnesota Statutes 1941, Section 353.09, is amended so as to read as follows:

"353.09. **Payments upon retirement.** Whenever any member of said association shall cease to be a public employee for any reason other than death or retirement, he shall be paid, on demand, after thirty (30) days' notice, the full amount of the accumulated deductions standing to the credit of his or her individual account. Provided that any such *person who was a member of said association prior to the date of passage of this act* and who has been in the public service for not less than ten (10) years and who has been a contributing member for not less than four (4) years immediately prior thereto, may, in lieu thereof, upon application in writing to the retire-