

CHAPTER 765—S. F. No. 474

An act relating to workmen's compensation; amending Minnesota Statutes 1953, Section 176.011, Subdivision 9.

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

Section 1. Minnesota Statutes 1953, Section 176.011, Subdivision 9, is amended to read:

Subd. 9. "Employee" means any person who performs service for another for hire; and includes an alien, a minor, a sheriff, deputy sheriff, constable, marshal, policeman, fireman, an executive officer of a corporation, and a peace officer while engaged in the enforcement of peace or in and about the pursuit or capture of any person charged with or suspected of crime; but does not include an official of the state, or of any county, city, town, village, borough, school district or governmental subdivision therein elected or appointed for a regular term of office or to complete the unexpired portion of any such regular term, except those heretofore specified.

Voluntary uncompensated workers, other than inmates, rendering services in state institutions under the commissioner of public welfare similar to those of officers and employees of such institutions, and whose services have been accepted or contracted for by the commissioner of public welfare under authority of Minnesota Statutes 1949, Section 246.36, shall be employees within the meaning of this subdivision. In the event of injury or death of any such voluntary uncompensated worker, the daily wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of such injury or death for similar services in institutions where such services are performed by paid employees.

Voluntary uncompensated workers engaged in peace time in the civil defense program when ordered to training or other duty by the state or any political subdivision thereof, shall be employees. The daily wage of the worker for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of such injury or death for similar services where such services are performed by paid employees.

In the event it is difficult to determine the daily wage as herein provided, then the commission may determine the wage upon which the compensation is payable.

Approved April 23, 1955.
