

CHAPTER 593—S.F.No.1264

An act relating to workmen's compensation; providing additional financing for the special compensation fund; amending Minnesota Statutes 1969, Section 176.131, Subdivision 10.

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

Section 1. Minnesota Statutes 1969, Section 176.131, Subdivision 10, is amended to read:

Subd. 10. **WORKMEN'S COMPENSATION; SPECIAL COMPENSATION FUND; ADDED FINANCING.** The special compensation fund is created for the purposes provided in this ~~section~~ chapter in the following manner:

(1) In every case of death of an employee resulting from personal injury arising out of and in the course of his employment where there are no persons entitled to ~~at least \$500 in~~ monetary benefits of dependency compensation, the employer shall pay to the commission the sum of ~~\$500~~ \$5,000 for the benefit of the special compensation fund; in every case of death of an employee resulting from personal injury arising out of and in the course of his employment where there are no persons entitled to at least \$5,000 in monetary benefits of dependency compensation, the employer shall pay to the commission for the benefit of the special compensation fund the difference between the amounts actually paid for such dependency benefits and \$5,000; but in no event shall the employer pay the commission less than \$1,000 ;

(2) When an employee shall suffer personal injury which results in permanent partial disability, temporary total disability, temporary partial disability, permanent total disability or death and which entitles him or dependents to compensation for a scheduled permanent partial disability under section sections 176.101 or 176.111, the employer shall in addition to compensation provided therein, pay to the commission for the benefit of the special compensation fund a lump sum without interest deduction equal to ~~not less than two seven percent nor more than six percent~~, of such total compensation, as soon as the ~~total amount of the permanent partial disability~~ payable for the particular injury is determined by the commission, or arrived at by agreement of the parties and such amount is approved by the commission.

The provisions of clause (1) and clause (2) of this subdivision shall apply to all workmen's compensation payments, exclusive of medical costs, paid under sections 176.101 and 176.111 for all injuries or death occurring on or after June 1, 1971.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

~~Annually on June 30, the commission shall determine the rate to be paid, which shall be effective as to injuries occurring on or after January 1 next following. When the balance in the special compensation fund is less than the sum of \$750,000, the rate shall be six percent; and when said balance is more than \$750,000 and less than \$1,250,000, the rate shall be four percent; and when the balance exceeds \$1,250,000, the rate shall be two percent.~~

Personal injuries that occurred prior to June 1, 1971 shall be assessed at the rate in effect on the date of occurrence.

The seven percent of the total compensation required to be paid by the employer to the commission for the benefit of the special compensation fund as provided in clause (2) of this subdivision shall remain fixed at said seven percent for the period from June 1, 1971, to June 1, 1972. Effective June 1, 1972, and thereafter on June 1, of each subsequent year, the rate shall be adjusted on the following basis: if the balance in the special compensation fund as of April 30 in any year is below \$1,000,000, the rate of payment shall be increased by two percent over the then prevailing rate. If the balance is at least \$1,000,000 but below \$1,500,000, the rate will be increased by one percent. If the balance is at least \$1,500,000 but below \$2,000,000, there shall be no change. If the balance is at least \$2,000,000 but less than \$2,500,000, the rate shall be decreased by one percent. If the balance is at least \$2,500,000, the rate shall be decreased by two percent.

Such sums as are paid to the workmen's compensation 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 chapter 176. All money heretofore arising from the provisions of this section or similar law shall be transferred to this special compensation fund.

The state treasurer shall be the custodian of this special fund and the workmen's compensation 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 clause (1) and dependency later is shown, or if deposit is or has been made pursuant to either clause (1) or (2) by mistake or inadvertence, or under such circumstances that justice requires a refund thereof, the state treasurer is hereby authorized to refund such deposit under order of the workmen's compensation commission. There is appropriated to the persons entitled to such refunds from the fund an amount sufficient to make the refund and payment.

Costs within the department of labor and industry for the accounting and legal procedures necessary for administration of the programs financed by the special compensation fund shall come from the fund during each biennium commencing July 1, 1971 with the

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special compensation fund being reimbursed from general fund in the next regular session of the legislature.

Sec. 2. This act is effective June 1, 1971.

Approved May 27, 1971.

CHAPTER 594—S.F.No.1398

An act relating to adult corrections; increasing the compensation of the appointed members of the adult corrections commission; amending Minnesota Statutes 1969, Section 243.04:

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

Section 1. Minnesota Statutes 1969, Section 243.04, is amended to read:

243.04 ADULT CORRECTIONS COMMISSION; COMPENSATION, EXPENSES, ESTIMATES OF EXPENSES. Each of the members of the commission other than the chairman shall receive as compensation the sum of ~~\$25~~ **\$35** per day for each day actually spent in the discharge of his official duties but for not to exceed 15 working days in any calendar month. The chairman of the commission shall receive as compensation his salary as deputy commissioner of corrections. In addition to the compensation so provided, each of the members of the commission shall be reimbursed for all expenses paid or incurred by him in the performance of his official duties. This compensation and these expenses shall be paid out of the revenue fund in the same manner as the salaries and expenses of other state officers are paid. All of the other expenses of the adult corrections commission shall be audited and allowed by the commissioner of corrections and paid out of the funds appropriated for the maintenance of the department in such proportions as the commissioner of corrections shall determine. The adult corrections commission shall furnish such estimates of anticipated expenses and requirements as the commissioner of corrections may, from time to time, require.

Approved May 27, 1971.

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