

state treasury, shall be placed to the credit of the General Revenue Fund only.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 19, 1923.

CHAPTER 407—H. F. No. 1215.

An act to amend Subdivision 3 of section 1 of chapter 400, Laws 1913, as amended by chapter 366, Laws 1919, relating to the salaries in the office of the secretary of state.

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

Section 1. **Salaries in office of secretary of state.**—That Subdivision 3 of section 1 of chapter 400, Laws 1913, as amended by chapter 366, Laws 1919, be and the same hereby is amended so as to read as follows:

"3. Secretary of state, forty-five hundred dollars; assistant secretary of state, twenty-eight hundred dollars; chief clerk, *three thousand* dollars; recording clerk, eighteen hundred dollars; assistant recording clerk, fifteen hundred dollars; general clerk, twelve hundred dollars; custodian of public documents clerk, fifteen hundred dollars; United States Government survey clerk, fifteen hundred dollars; stenographer, twelve hundred dollars."

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 19, 1923.

CHAPTER 408—H. F. No. 325.

An act to amend Section 14 and Sub-sections 19 and 20, of Chapter 82, General Laws 1921, known as Workman's Compensation Law.

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

Section 1. **Schedule of compensation.** Section 14 of Chapter 82, General Laws 1921, is hereby amended so as to read as follows:

"Section 14. *Schedule of Compensation*—Following is the schedule of compensation: (a) for injury producing temporary total disability, sixty-six and two-thirds per centum of the daily wage at the time of injury subject to a maximum compensation of *twenty (\$20.00)* dollars per week and a minimum of eight (\$8.00) dollars per week; provided, that if at the time of injury the employe receives wages of eight (\$8.00) dollars or less per week, then he shall receive the full amount of such wages per week. This compensation shall be paid during the period of such dis-

ability not, however, beyond three hundred (300) weeks, payment to be made at the intervals when the wage was payable, as nearly as may be.

(b) In all cases of temporary partial disability the compensation shall be sixty-six and two-thirds per centum of the difference between the daily wage of the workman at the time of injury and the wage he is able to earn in his partially disabled condition. This compensation shall be paid during the period of such disability, not however, beyond three hundred (300) weeks, payment to be made at the intervals when the wage was payable as nearly as may be and subject to the same maximum as stated in clause (a).

(c) For the permanent partial disability from the loss of a member, the compensation during the healing period to be determined by the Commission but not exceeding fifteen weeks shall be sixty-six and two-thirds per centum of the difference between the daily wage of the workman at the time of injury and the wages he shall be able to earn, if any, in his partially disabled condition, unless on application to the Industrial Commission, made in the same manner as provided in section 19 for additional medical service, the period is extended by the Commission for not to exceed an addition ten weeks; and thereafter, and in addition thereto, compensation shall be that named in the following schedule:

- (1) For the loss of a thumb, sixty-six and two-thirds per centum of the daily wage at the time of injury during sixty (60) weeks.
- (2) For the loss of a first finger, commonly called index finger, sixty-six and two thirds per centum of the daily wage at the time of injury during thirty-five (35) weeks.
- (3) For the loss of a second finger, sixty-six and two-thirds per centum of the daily wage at the time of the injury during thirty (30) weeks.
- (4) For the loss of a third finger, sixty-six and two-thirds per centum of the daily wage at the time of the injury during twenty (20) weeks.
- (5) For the loss of a fourth finger, commonly called the little finger, sixty-six and two-thirds per centum of the daily wage at the time of injury during fifteen (15) weeks.
- (6) The loss of the first phalange of the thumb, or of any finger shall be considered equal to the loss of one-half of such thumb or finger, and compensation shall be paid at the prescribed rate during one-half the time specified above for such thumb or finger.
- (7) The loss of one and one-half or more phalanges shall be considered as the loss of the entire finger or thumb, provided, however, that in no case shall the amount received for more than one finger exceed the amount provided in

this schedule for the loss of a hand.

- (8) For the loss of a great toe, sixty-six and two-thirds per centum of the daily wage at the time of injury during thirty (30) weeks.
- (9) For the loss of one of the toes other than a great toe, sixty-six and two-thirds per centum of the daily wage at the time of injury during ten (10) weeks.
- (10) The loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of such toe, and compensation shall be paid at the prescribed rate during one-half the time specified above for such toe.
- (11) The loss of one and one-half or more phalanges shall be considered as the loss of the entire toe.
- (12) For the loss of a hand, not including the wrist movement, sixty-six and two-thirds per centum of the daily wage at the time of injury during one hundred and fifty (150) weeks.
- (13) For the loss of a hand, including the wrist movement, sixty-six and two-thirds per centum of the daily wage at the time of injury during one hundred and seventy-five (175) weeks.
- (14) For the loss of an arm, sixty-six and two-thirds per centum of the daily wage at the time of injury during two hundred (200) weeks.
- (15) Amputation of the arm below the elbow shall be considered as the loss of a hand including wrist movement, if enough of the forearm remains to permit the use of an effective artificial member, otherwise it shall be considered as the loss of an arm.
- (16) For the loss of a foot, not including the ankle movement, sixty-six and two-thirds per centum of the daily wage at the time of injury during one hundred and twenty-five (125) weeks.
- (17) For the loss of a foot including ankle movement, sixty-six and two-thirds per centum of the daily wage at the time of injury during one hundred and fifty (150) weeks.
- (18) For the loss of a leg, if enough of the leg remains to permit the use of an effective artificial member, sixty-six and two-thirds per centum of the daily wage at the time of injury during one hundred and seventy-five (175) weeks.
- (19) For the loss of a leg so close to the hip that no effective artificial member can be used, sixty-six and two-thirds per centum of the daily wage at the time of injury during two hundred (200) weeks.
- (20) Amputation of the leg below the knee shall be considered as loss of foot including ankle movement, if enough of the lower leg remains to permit the use of an effective ar-

tificial member; otherwise it shall be considered as loss of leg.

- (21) For the loss of an eye, sixty-six and two-thirds per centum of the daily wage at the time of injury during one hundred (100) weeks.
- (22) For complete permanent loss of hearing in one ear, sixty-six and two-thirds per centum of the daily wage at the time of injury during fifty-two (52) weeks.
- (23) For the complete permanent loss of hearing in both ears, sixty-six and two-thirds per centum of the daily wage at the time of injury during one hundred and fifty-six (156) weeks.
- (24) For the loss of an eye and a leg, sixty-six and two-thirds per centum of the daily wage at the time of injury during three hundred and fifty (350) weeks.
- (25) For the loss of an eye and arm, sixty-six and two-thirds per centum of the daily wage at the time of injury during three hundred and fifty (350) weeks.
- (26) For the loss of an eye and hand, sixty-six and two-thirds per centum of the daily wage at the time of injury during three hundred and twenty-five (325) weeks.
- (27) For the loss of an eye and a foot, sixty-six and two-thirds per centum of the daily wage at the time of injury during three hundred (300) weeks.
- (28) For the loss of two arms other than at the shoulder, sixty-six and two-thirds per centum of the daily wage at the time of injury during four hundred (400) weeks.
- (29) For the loss of two hands, sixty-six and two-thirds per centum of the daily wage at the time of injury during four hundred (400) weeks.
- (30) For the loss of two legs, other than so close to the hips that no effective artificial members can be used, sixty-six and two-thirds per centum of the daily wage at the time of injury during four hundred (400) weeks.
- (31) For the loss of two feet, sixty-six and two thirds per centum of the daily wage at the time of injury during four hundred (400) weeks.
- (32) For the loss of one arm and the other hand, sixty-six and two-thirds per centum of the daily wage at the time of injury during four hundred (400) weeks.
- (33) For the loss of one hand and one foot, sixty-six and two-thirds per centum of the daily wage at the time of injury during four hundred (400) weeks.
- (34) For the loss of one leg and the other foot, sixty-six and two-thirds per centum of the daily wage at the time of injury during four hundred (400) weeks.
- (35) For the loss of one leg and one hand, sixty-six and two-

- thirds per centum of the daily wage at the time of injury during four hundred (400) weeks.
- (36) For the loss of one arm and one foot, sixty-six and two-thirds per centum of the daily wage at the time of injury during four hundred (400) weeks.
- (37) For the loss of one arm and one leg, sixty-six and two-thirds per centum of the daily wage at the time of injury during four hundred (400) weeks.
- (38) For serious disfigurement not resulting from the loss of a member or other injury specifically compensated, materially affecting the employability of the injured person in the employment in which he was injured or other employment for which the employe is then qualified, sixty-six and two thirds per centum of the daily wage at the time of injury for such period as the Industrial Commission may determine, not to exceed seventy-five (75) weeks.
- (39) Where an employe sustains concurrent injuries resulting in concurrent disabilities, he shall receive compensation only for the injury which entitles him to the largest amount of compensation; but this section shall not affect liability for serious disfigurement materially affecting the employability of the injured person or liability for the concurrent loss of more than one member, for which members compensations are provided in the specific schedule and in subsection (e) below.
- (40) In all cases of permanent partial disability it shall be considered that the permanent loss of the use of a member shall be equivalent to and draw the same compensation as the loss of that member; but the compensation in and by said schedule provided, shall be in lieu of all other compensation in such cases, except as otherwise provided by this section.
- (41) In cases of permanent partial disability due to injury to a member, resulting in less than total loss of such member not otherwise compensated in this schedule, compensation shall be paid at the prescribed rate during that part of the time specified in the schedule for the total loss of the respective member, which the extent of injury to the member bears to its total loss.
- (42) All the compensation provided in clause (c) of this section for loss of members or loss of the use of members are subject to the same limitations as to maximum and minimum as are stated in clause (a).
- (43) In addition to the compensation provided in the foregoing schedule for loss or loss of the use of a member, the compensation during the period of retraining for a new occupation as certified by the division of re-education, operating under Chapter 365, Laws of Minnesota 1919, shall

be sixty-six and two-thirds per centum of the daily wage at the time of the injury, not exceeding twenty-five (25) weeks, provided the injury is such as to entitle the workman to compensation for at least seventy-five (75) weeks in the schedule of indemnities for permanent impairments and provided the Industrial Commission on application thereto shall find that such retraining is necessary and make an order for such compensation.

- (44) In all other cases of permanent partial disability not above enumerated the compensation shall be sixty-six and two thirds per centum of the difference between the wage of the workman at the time of the injury and the wage he is able to earn in his partially disabled condition subject to a maximum of *twenty* (\$20.00) dollars per week. Compensation shall continue during disability, not however beyond three hundred (300) weeks.

(d) For permanent total disability as defined in subsection (e) below, sixty-six and two-thirds per centum of the daily wage at the time of the injury, subject to a maximum compensation of *twenty* (\$20.00) dollars per week, and a minimum compensation of eight (\$8.00) dollars per week, provided that if at the time of the injury the employe was receiving wages of eight (\$8.00) dollars or less per week, then he shall receive the full amount of his wages per week. This compensation shall be paid during the permanent total disability of the injured person, but the total amount payable under this subsection shall not exceed ten thousand (\$10,000) dollars in any case; payments to be made at the intervals when the wage was payable as nearly as may be. Provided, however, that in case an employe who is permanently and totally disabled becomes an inmate of a public institution, then no compensation shall be payable during the period of his confinement in such institution, unless he has wholly dependent on him for support a person or persons named in subsections (1), (2) and (3) of section 15 (whose dependency shall be determined as if the employe were deceased); in which case the compensation provided for in this subsection shall during the period of such employe's confinement, as aforesaid, be paid for the benefit of said persons so dependent during dependency.

(e) The total and permanent loss of the sight of both eyes or the loss of both arms at the shoulder, or the loss of both legs so close to the hips that no effective artificial members can be used, or complete and permanent paralysis, or total and permanent loss of mental faculties, or any other injury which totally incapacitates the employe from working at an occupation which brings him an income, shall constitute total disability.

(f) In case a workman sustains an injury due to accident arising out of and in the course of his employment, and during the period of disability caused thereby, death results proximately there-

from, all payments previously made as compensation for such injury shall be deducted from the compensation, if any, due on account of the death. Accrued compensation due to the deceased prior to death but not paid, shall be payable to such dependent persons as the Industrial Commission may order without probate administration.

Sec. 2. Same.—Subsection 19 of Section 15, Chapter 82, Laws of 1921, is hereby amended so as to read as follows:

"(19) The compensation payable in case of death to persons wholly dependent shall be subject to a maximum compensation of *twenty* (\$20.00) dollars per week and a minimum of *eight* (\$8.00) dollars per week; provided that if at the time of injury the employe receives wages of eight (\$8.00) dollars or less per week, then the compensation shall be the full amount of such wages per week. The compensation payable to partial dependents shall be subject to a maximum of *twenty* (\$20.00) dollars per week and a minimum of eight (\$8.00) dollars per week; provided that if the income loss of the said partial dependents by such death is eight (\$8.00) dollars or less per week; then the dependents shall receive the full amount of their income loss. This compensation shall be paid during dependency, but shall not exceed seventy-five hundred (\$7500.00) dollars in case of a dependent wife, child, children or orphan, and shall not exceed three hundred (300) weeks in case of any other dependent, payments to be made at the intervals when the wage was payable as nearly as may be."

Sec. 3. Dependents and allowances.—Sub-Section 20 of Section 15, Chapter 22, Laws 1921 is hereby amended to read as follows:

(20) Actual dependents shall be entitled to take compensation in the order named in Sub-section (3) above, during dependency, until sixty-six and two-thirds per centum of the daily wage of the deceased at the time of injury shall have been exhausted, provided that such compensation shall not exceed seventy-five hundred (\$7500.00) dollars in case of a dependent wife, child, children or orphan, or continue beyond three hundred (300) weeks in case of any other dependent; but the total compensation to be paid to all actual dependents of a deceased employe shall not exceed in the aggregate *twenty* (\$20.00) dollars per week.

Sec. 4. Effective October 1st, 1923.—This Act shall take effect and be in force from and after October 1, 1923.

Approved April 19, 1923.

CHAPTER 409 · H. F. No. 786.

An act to amend Section 2 of Chapter 194, General Laws for 1915, as amended by Chapter 120, General Laws for 1910, as amended by Chapter 366, General Laws for 1921, relating to estab-