

CHAPTER 88—H. F. No. 145

[Coded as Section 387.29, Subdivisions 1 and 2]

An act relating to mileage to be paid sheriffs and deputy sheriffs as reimbursement for the use of their own automobiles.
Be it enacted by the Legislature of the State of Minnesota:

[387.29] Section 1. **Reimbursement for public use of sheriff's automobile.** Subdivision 1. As reimbursement for use of his own private automobile by a sheriff or deputy, in the performance of his official duties, he may be paid by the county a sum not to exceed ten cents per mile for every mile so traveled.

Sec. 2. Subd. 2. This act shall be and remain in force until June 30, 1949.

Approved March 13, 1947.

CHAPTER 89—H. F. 218

An act relating to board contracts; and amending Minnesota Statutes 1945, Section 120.03.
Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1945, Section 120.03, is amended to read as follows:

120.03. **Contracts to be in writing.** All contracts made by the state board shall be in writing and signed by its executive officer.

Approved March 13, 1947.

CHAPTER 90—H. F. No. 316

An act relating to compensation to employees resulting from injuries causing only permanent partial disability, but combined with previous disability causes permanent total disability and amending Minnesota Statutes 1945, Section 176.13.

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

Section 1. Minnesota Statutes 1945, Section 176.13, is amended to read:

176.13. Disability or death resulting from accident; increase of previous disability; special compensation fund. If an employee receives an injury which of itself would cause only permanent partial disability, but which, combined with a previous disability, does in fact cause permanent total disability, the employer shall only be liable for the permanent partial disability caused by the subsequent injury.

(a) In addition to compensation for such permanent partial disability and after the cessation of the payments for the prescribed period of weeks, the employee shall be paid by the state the remainder of the compensation that would be due for permanent total disability, as provided for by section 176.11, clause (d), out of a special fund known as the special compensation fund.

(b) All employees who are now receiving, or who may hereafter become entitled to receive, compensation for permanent total disability, whether from the employer or from the special fund, after receiving the full amount of \$10,000 for such disability, shall be paid from the fund an additional sum of not to exceed \$5,000, in the same manner and with the same limitations, except as to amounts, at the rate of one-half of the wages they were receiving at the time of the injury which rendered them permanently totally disabled, subject to a maximum of \$15.00 per week and a minimum of \$8.00 per week, but the full amount of their wages if at the time of such injury they were receiving less than \$8.00 per week. Payments to permanently totally disabled employees from such additional sum of \$5,000 shall be made only upon petition by the injured employee to the industrial commission for the same, stating that the full amount of \$10,000 has been received, or is due to be paid within 30 days, which petition shall be accompanied by an affidavit of a reputable physician stating that he has examined the employee and found him to be still permanently totally disabled.

(c) All widows with a dependent child or children who are now receiving, or who may hereafter become entitled to receive, compensation under section 176.12 for the death of their husbands shall, after the maximum collectible compensation has been paid and satisfactory proof thereof filed, receive from the special fund additional compensation, not exceeding \$2,500, in the same manner and with the same limitations as is prescribed by section 176.12, except that the maximum weekly compensation shall not exceed \$15.00, until

the youngest child attains the age of 18 years or the additional sum of \$2,500 has been fully paid. Such payments to widows from the special fund shall be made only on petition by the widow to the industrial commission, which shall be accompanied by birth certificates or other satisfactory proof of the ages of her living children under the age of 18 years and affidavits of two responsible persons that she is still the widow of the employee for whose death she was drawing compensation.

This fund shall be created for such purposes in the following manner:

(1) In every case of death of an employee resulting from an accident arising out of and in the course of his employment where there are no persons entitled to compensation, the employer shall pay to the industrial commission the sum of \$300;

(2) When an employee shall suffer a compensable injury, which results in permanent partial disability by reason of the total loss of a member or members, or injury to a member or members resulting in less than a total loss of such member, and which injury entitles him to compensation pursuant to section 176.11, clause (c), the employer, or his insurer, shall, in addition to the compensation provided for in clause (c), pay to the industrial commission, for the benefit of the special compensation fund, a lump sum, without interest deductions, equal to two per cent of the total compensation to which the employee is entitled under clause (c) for the permanent partial disability, this sum to be paid to the industrial commission as soon as the total amount of the permanent partial disability payable for the particular injury is determined by the industrial commission, or arrived at by the agreement of the parties and such amount is approved by the industrial commission.

Such sums as are paid to the industrial 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 this chapter. All money heretofore arising from the provisions of this section shall be transferred to this special compensation fund. All penalties collected for violation of any of the provisions of this chapter shall be credited to this special compensation fund.

The state treasurer shall be the custodian of this special fund and the industrial 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) of this section, and dependency later is shown, or if deposit is or has been made pursuant to either clause (1) or (2) hereof by mistake or inadvertence, or under such circumstances that justice requires a refund thereof, the state treasurer is hereby authorized to refund such deposit upon order of the industrial commission.

Approved March 13, 1947.

CHAPTER 91—H. F. No. 582

[Coded as sections 247.11 to 247.17]

An act relating to the location and establishment of an institution at the City of Owatonna, Minnesota, to provide academic education and training for feeble-minded persons; and providing for the abolishment of the State Public School for Dependent and Neglected Children at Owatonna and transferring certain duties of the superintendent of said school to the director of social welfare; and repealing Minnesota Statutes 1945, Chapter 247.

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

[247.11] **Section 1. Owatonna State School created.** There is hereby located and established at the City of Owatonna, County of Steele, State of Minnesota, the Owatonna State School.

[247.12] **Sec. 2. Successor to state public school for dependent and neglected children.** All lands, buildings, property and funds heretofore acquired and held for the State Public School for Dependent and Neglected Children at the City of Owatonna, County of Steele, State of Minnesota, shall be transferred to the Owatonna State School and shall be subject to the same control and management as the property and funds set apart for and used for the support and maintenance of the Owatonna State School, as provided in Section 1.

[247.13] **Sec. 3. Control and management; manner of commitment.** The Owatonna State School shall be under the control and management of the director of the division of public institutions, and all laws pertaining to the commitment of the feeble-minded and the School for Feeble-minded at Faribault shall apply insofar as they are applicable.