

temporary uses provided that no leases shall be for a period to exceed one year; provided, further that any leases involving a consideration of more than \$50 per year shall first be offered at public sale in the manner provided herein for sale of timber. Upon the sale of any such leased land, it shall remain subject to the lease for not to exceed one year from the beginning of the term of the lease. Any rent paid by the lessee for the portion of the term cut off by such cancelation shall be refunded from the forfeited tax sale fund upon the claim of the lessee, to be audited and allowed by the county board as in case of other claims against the county.

Approved March 12, 1953.

CHAPTER 112—H. F. No. 79

An act relating to benefits under the Workmen's Compensation Law; amending Minnesota Statutes 1949, Section 176.13, as amended.

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

Section 1. Minnesota Statutes 1949, Section 176.13, as amended by Laws 1951, Chapters 457 and 670 is amended to read:

176.13 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, *subdivision 3 (1-41 inclusive)*, out of a special fund known as the special compensation fund.

(b) Following the effective date of this act, no compensation shall be paid for permanent total disability from the special fund for injuries occurring after said date, except for second injury cases as provided in clause (a) of this section. All employees who are now receiving, or who may hereafter become entitled to receive, compensation for permanent total disability, as a result of injuries occurring before the effective date of this act, 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 two-thirds of the wages they were receiving at the time of the injury which rendered them permanently totally disabled, subject to a maximum of \$20 per week and a minimum of \$13.50 per week, but the full amount of their wages if at the time of such injury they were receiving less than \$13.50 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.

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, and which injury entitles him to compensation pursuant to section 176.11, subdivision (3), (1-41, inclusive), the employer, or his insurer, shall, in addition to the compensation provided for in said subdivision (3), (1-41 inclusive), pay to the industrial commission, for the benefit of the special compensation fund, a lump sum, without interest deductions, equal to *six* per cent of the total compensation to which the employee is entitled under said subdivision (3) 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 inadvertance, or under such circumstances that justice requires a refund thereof, the state treasurer is hereby authorized to refund such deposit under order of the industrial commission.

(3) *There is hereby appropriated out of the general revenue fund to the industrial commission for credit to the special compensation fund the sum of \$125,000 for the period ending June 30, 1955, which appropriation is hereby made available in such amounts and at such times as may be deemed necessary by the industrial commission to discharge its obligations for the payment of benefits out of said special compensation fund. Any and all amounts so appropriated and credited to the special compensation fund shall be repaid from said fund without interest, at such times and in such amounts as may be determined by the industrial commission; provided that in any event the entire amount so appropriated and credited shall be repaid to said fund on or before July 1, 1959.*

(4) *On and after July 1, 1958, payments to the fund based upon permanent partial disability as provided by subdivision 2 of this section shall be reduced to two per cent effective as to accidents occurring on and after July 1, 1958. The industrial commission shall report biennially to the governor and to the legislature as to the financial status of said special compensation fund, which report shall include a statement of the receipts and disbursements for the period covered.*

Sec. 2. This act is in force from and after its passage.

Approved March 12, 1953.

CHAPTER 113—H. F. No. 652

An act relating to apiaries; amending Minnesota Statutes 1949, Section 19.18, Subdivision 2, and Section 19.28, as amended by Laws 1951, Chapter 324.

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

Section 1. Minnesota Statutes 1949, Section 19.18, Subdivision 2, as amended by Laws 1951, Chapter 324, is amended to read: