

# MINNESOTA STATUTES 1953 ANNOTATIONS

## 76.01 DRY CLEANING AND DYEING ESTABLISHMENTS

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Exhibitors of motion pictures in the open air with or without charge must be classed as itinerant exhibitors and must secure a permit and furnish a bond. OAG June 16, 1947 (167-D).

A fenced, open air theater permanently located on a tract of ground is an itinerant moving picture exhibition. OAG Aug. 15, 1947 (850-C).

## CHAPTER 76

### DRY CLEANING AND DYEING ESTABLISHMENTS

#### 76.01 DEFINITIONS

The purpose of Laws 1921, Chapter 459, Section 1, is to establish standards of construction of buildings in which dry cleaning and dyeing could be carried on and also to regulate the general conduct of said business. OAG July 7, 1949 (197-B).

#### 76.02 USE OF BUILDING, APPROVAL

Where a dry cleaning establishment moves into a new building which has never been inspected and approved by the state fire marshal, the building must be inspected and must meet all requirements of the dry cleaning law before a dry cleaning establishment can be licensed or a new permit obtained. OAG Nov. 20, 1947 (197-B).

#### 76.04 INSPECTION; PERMIT

Where a dry cleaning establishment moves into a new building which has never been inspected and approved by the state fire marshal, the building must be inspected and must meet all requirements of the dry cleaning law and it can be licensed or a new permit obtained. OAG Nov. 20, 1947 (197-B).

#### 76.08 BUILDINGS TO BE FIREPROOF

If the state fire marshal is satisfied that it is unsafe to use a Stoddard solvent and solvents having a lesser flash point in a 140 Fahrenheit unit even though installed in a proper building, the marshal may disapprove the use of such equipment. OAG April 23, 1947 (197-B).

A new permit must be obtained to conduct a dry cleaning establishment in a new building which has never been inspected and approved by the state fire marshal and such building must comply with the requirements of the dry cleaning law. OAG Nov. 20, 1947 (197-B).

76.19 Omitted, duplicate of a part of Section 76.18.

#### 76.20 LIGHTING

Where a dry cleaning establishment moves into a new building which has never been inspected and approved by the state fire marshal, the building must be inspected and must meet all requirements of the dry cleaning law before a dry cleaning establishment can be licensed or a new permit obtained. OAG Nov. 20, 1947 (197-B).

76.259 Repealed, 1947 c 225 s 1.

#### 76.27 ABANDONED BUILDINGS

The exemption or exception provided in Laws 1921, Chapter 459, Section 30, coded as section 76.26, referring to persons conducting a dry cleaning plant as of

the effective day of the act inures not only to the benefit of the individual who was conducting the business at the time Chapter 459 became a law but, with the consent of the appropriate licensing power, passes to his successor. OAG July 7, 1949 (197-B).

## CHAPTER 79

### COMPENSATION INSURANCE

#### 79.01 DEFINITIONS

Hearings required in insurance rate making to constitute due process. 33 MLR 771.

The formula used to compute the workmen's compensation insurance rate is divided into two components, the pure premium and the expense loading. Whether a rate is reasonable is ascertained by determining the reasonableness of the components. As the determination of the pure premium part of the rate is developed from experience, it is the board's function when no experience is available to use all possible sources of information and experience in a reasonable manner to set a rate which will produce an actual loss ratio as close as possible to the established permissible loss ratio and if the board deviates from what appears to be a mathematically sound method of reaching the answer sought, it must explain the considerations and reasoning behind the deviation. Whether or not the board had a basis in reason for what was done cannot be left to speculation. The expense loading includes a reasonable profit properly computed. State ex rel v Faricy, 236 M 468, 53 NW(2d) 457.

#### 79.02 COMPENSATION INSURANCE BOARD

HISTORY. 1921 c 85 s 2; 1923 c 263 s 1; 1925 c 405 s 1; 1949 c 739 s 23; 1951 c 713 s 9.

Genesis of a rate; workmen's compensation insurance. 36 MLR 948.

#### 79.03 EXPENSES; QUORUM; OFFICE; SESSIONS AND INVESTIGATIONS

The formula used to compute the workmen's compensation insurance rate is divided into two components, the pure premium and the expense loading. Whether a rate is reasonable is ascertained by determining the reasonableness of the components. As the determination of the pure premium part of the rate is developed from experience, it is the board's function when no experience is available to use all possible sources of information and experience in a reasonable manner to set a rate which will produce an actual loss ratio as close as possible to the established permissible loss ratio and if the board deviates from what appears to be a mathematically sound method of reaching the answer sought, it must explain the considerations and reasoning behind the deviation. Whether or not the board had a basis in reason for what was done cannot be left to speculation. The expense loading includes a reasonable profit properly computed. State ex rel v Faricy, 236 M 468, 53 NW(2d) 457.

#### 79.04 ORGANIZATION; SECRETARY; RULES; POWERS

HISTORY. 1921 c 85 s 4; 1953 c 615 s 1.

Criterion of confiscation in judicial review of rate regulation. 32 MLR 60.

Where insurance rating bureau was required to and did survey insured premises in behalf of insurers before fire policies were issued, the bureau's knowledge of the nature of the premises, the ordinary use of the premises, and the manner in