

ARTICLE 101.

WORKMEN'S COMPENSATION.¹**State Industrial Accident Commission.**

1. Commission created; terms; qualifications; vacancies; removal.
2. Quorum; order of one member concurred in, valid.
3. Commissioners' salaries; expenses.
4. Sessions of commission, open to public; record of proceedings; penalty for employees who divulge information.
5. Secretary and other employees of commission; salaries and expenses; offices, equipment of; seal; oath.
6. Secretary of commission; duties of; records and documents; may administer oaths; assistant.
7. Subpœnas; witnesses; depositions; production of books, etc.; recalcitrant witnesses, punishment of; self-incrimination, no excuse; proviso; perjury.
8. Subpœna; compensation for service of; witness fees; mileage; depositions.
9. Commission to adopt rules of procedure and prescribe kind of notices, nature and extent of proof, forms

of application, method of investigating, etc., and time within which awards to be made.

10. Commission not bound by rules of evidence or technical procedure save as provided.
11. Certified copy of evidence and proceedings taken by official stenographer to be evidence before commission; copy thereof to parties in interest.
12. Forms to be kept and distributed free of cost.
13. Report of commission to Governor; contents.

Suit—Methods of Insurance.

14. Duty of employers; injuries not included in this article. Failure of employer to comply—option of employee; defenses abolished in case of suit. Employments not extra-hazardous.
15. Methods of insurance; employers who carry their own insurance; bond; deposit of securities. Penalty; court may remit.

As to the powers of Industrial Accident Commission *re* vocational rehabilitation and placement, see art. 77, sec. 262, *et seq.*

Employers and employees may agree upon a scheme of compensation—art. 48A, sec. 166. As to "Work—Hours of," "Employment of Children," etc., see art. 100. As to Insurance, see art. 48A. As to sureties, see art. 90. As to negligence causing death, see art. 67.

¹ Ch. 732 of the Acts of 1939 amends Secs. 1, 2, 5 and 6 of this Article but, as a petition was filed with the Secretary of State under the provisions of Article 16 of the State Constitution, this Act will not become effective unless approved by the majority of the voters at the election on Nov. 5, 1940. If a majority of the voters approve this Act, it will become effective as of Dec. 5, 1940. These four sections, as amended by Ch. 732, are as follows:

1. A Commission is hereby created which shall be known as the State Industrial Accident Commission, to be composed of four Commissioners. Upon June 1st, 1939, all of the terms of the Commissioners in office upon the taking effect of this Act shall terminate, and the Governor shall thereupon appoint one Commissioner who shall hold office for a term of one year, one for a term of two years, one for a term of three years, and one for a term of four years. Upon the expiration of the term of each Commissioner, his successor shall be appointed by the Governor for a term of four years. Each Commissioner shall devote his entire time to the duties of the office, and shall not hold any position of trust or engage in any occupation or business interfering or inconsistent with his duties as such Commissioner, or serve on or under any committee of a political party. Each Commissioner shall hold office until his successor shall be appointed and shall have qualified. Vacancies shall be filled by the Governor for the unexpired term. The Governor may at any time remove any Commissioner from office for inefficiency, neglect of duty or malfeasance in office. Before such removal he shall give such Commissioner a copy of the charges against him and shall fix a time when he can be heard in his own defense, either in person, or by counsel, which shall not be less than ten days thereafter, and such hearing shall be open to the public. The principal office of the