

By Mr. Wall of Lawrence, petition of Malcolm M. Donahue relative to the payment of expenses of prosecutions to compel deposits for death cases under the Workmen's Compensation Act. Labor and Industries.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Five.

AN ACT RELATIVE TO THE PAYMENT OF EXPENSES OF PROSECUTIONS TO COMPEL DEPOSITS FOR DEATH CASES UNDER THE WORKMEN'S COMPENSATION ACT.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 65N of chapter 152 of the General Laws, as  
2 appearing in chapter 689 of the acts of 1949, is hereby  
3 amended by adding the following sentence at the end  
4 thereof: — The reasonable expense of prosecution, if any,  
5 by the attorney general, of claim for deposit under this  
6 section, shall, subject to the approval of the department,  
7 be payable out of the special fund established hereunder,  
8 — so as to read as follows: — *Section 65N.* For every  
9 case of personal injury resulting in death covered by this  
10 chapter, the insurer or self-insurer shall pay into the  
11 state treasury five hundred dollars, such payment to be  
12 made in all cases regardless of whether the employee's  
13 dependents or personal representatives commence action  
14 against a third party under section fifteen. Such pay-  
15 ments shall constitute a special fund in the custody of  
16 the state treasurer, who shall make payments therefrom,  
17 upon the written order of the department, for the pur-  
18 poses set forth in sections twenty-six and thirty-seven A.  
19 The reasonable expense of prosecution, if any, by the  
20 attorney general, of claim for deposit under this section,  
21 shall, subject to the approval of the department, be  
22 payable out of the special fund established hereunder.

