

44-635. Interrogatories and testimony; penalty for failure to testify; information deemed confidential; penalty for disclosing.

The secretary of labor is hereby authorized to furnish and deliver a written or printed list of interrogatories to any person, company, or the proper officer of any corporation operating within the state, and require full and complete answers to be made thereto, and returned under oath. The secretary of labor shall have power to take and preserve testimony, to issue subpoenas and administer oaths, and examine witnesses under oath in all matters relating to the duties herein required by the secretary of labor, such testimony to be taken in some suitable place in the vicinity to which the testimony is applicable. Witnesses subpoenaed and testifying before the secretary of labor shall be paid the same fees as witnesses before the district court; such payment to be made from the incidental fund of the secretary of labor.

Any person duly subpoenaed under the provisions of this act who shall willfully neglect or refuse to attend, or refuse to answer any question propounded to such person concerning the subject of such examination as provided in this act, or if any person to whom a written or printed list of interrogatories has been furnished by the secretary of labor shall neglect or refuse to answer and return the same under oath, such person or persons shall be deemed guilty of a misdemeanor, and upon complaint of the secretary of labor before a court of competent jurisdiction, and upon conviction thereof, such person or persons shall be fined in a sum not less than \$25 nor more than \$100, or by imprisonment in the county jail not exceeding 90 days, or by both such fine and imprisonment. No witness shall be compelled to go outside of the county in which such witness resides to testify. In the report of the secretary of labor no use shall be made of the names of individuals, firms or corporations supplying the information called for by this act, unless by written permission, such information being deemed confidential and not for the purpose of disclosing personal affairs; and any officer, agent or employee of the secretary of labor violating this provision shall forfeit a sum not exceeding \$500, or be imprisoned not more than one year.

History: L. 1898, ch. 34, § 4; R.S. 1923, 44-635; L. 1976, ch. 370, § 45; L. 2004, ch. 179, § 44; July 1.