

CHAPTER 637—S. F. No. 1409

An act relating to the sale of goods, wares or merchandise manufactured or processed by the inmates of the state reformatory for men; amending Minnesota Statutes 1957, Section 246.39.

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

Section 1. Minnesota Statutes 1957, Section 246.39 is amended to read:

246.39 Sale of goods. Sale of Goods. No goods, wares or merchandise, manufactured, processed, or produced wholly or in part by the inmates of the Minnesota state reformatory for men, except articles of handicraft, shall be sold for resale, nor sold to any person, corporation, or political body except *state governmental departments, agencies, or functions* and public welfare institutions under the jurisdiction of the political subdivision of the state.

Approved April 24, 1959.

CHAPTER 638—H. F. No. 296

An act relating to the qualifications for marriage and to the powers and duties of the commissioner of public welfare; amending Minnesota Statutes 1957, Sections 517.03 and 246.01.

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

Section 1. Minnesota Statutes 1957, Section 517.03 is amended to read:

517.03 Marriages prohibited. No marriage shall be contracted while either of the parties has a husband or wife living; nor within six months after either has been divorced from a former spouse; excepting re-intermarriage between such parties; nor within six months after either was a party to a marriage which has been adjudged a nullity, excepting intermarriage between such parties; nor between parties who are nearer than second cousins; whether of the half or whole blood, computed by the rules of the civil law; nor between persons either one of whom is imbecile, feeble-minded, or insane; nor between persons one or both of whom are under 15 years of age; *provided, however, that mentally deficient persons committed to the guardianship of the commissioner of public welfare may marry on receipt of written consent of the*

commissioner. The commissioner may grant such consent if it appears from his investigation that such marriage is for the best interest of the ward and the public. The clerk of the district court in the county where the application for a license is made by such ward shall not issue the license unless and until he has received a signed copy of the consent of the commissioner of public welfare.

Sec. 2. Minnesota Statutes 1957, Section 246.01 is amended to read:

246.01 Powers and duties. The commissioner of public welfare is hereby specifically constituted the guardian of both the estate and person of all feebleminded or epileptic persons, the guardianship of whom has heretofore been vested in the state board of control or in the director of social welfare whether by operation of law or by an order of court without any further act or proceeding, and all the powers and duties vested in or imposed upon the state board of control or the director of social welfare, with reference to mental testing of persons mentally deficient or epileptic, and with reference to the institutions of the State of Minnesota except the Minnesota State Sanatorium, the state training school for boys and the Minnesota Home School for Girls, are hereby transferred to, vested in, and imposed upon the commissioner of public welfare, and in relation thereto he is hereby charged with and shall have the exclusive power of administration and management of all of the following state institutions: The state prison, the state reformatory for men, the schools for the mentally deficient, state hospitals for the mentally ill, the Minnesota Braille and sightsaving school, the state school for the deaf, the state epileptic colony, the state hospital for indigent, crippled, and deformed children, the state hospital for inebriates, and the state reformatory for women. He shall have power and authority to determine all matters relating to the unified and continuous development of all of the foregoing institutions and of such other institutions, the supervision of which may, from time to time, be vested in him. It is intended that there be vested in him all of the powers, functions, and authority heretofore vested in the state board of control relative to state institutions, except the Minnesota State Sanatorium, the state training school for boys, and the Minnesota Home School for Girls. He shall have the power and authority to accept, in behalf of the state, contributions and gifts of money and personal property for the use and benefit of the inmates of the public institutions under his control, and all moneys and securities so received shall be deposited in the state treasury subject to the order of the

commissioner of public welfare. If the gift or contribution is designated by the donor for a certain institution or purpose, the commissioner of public welfare shall expend or use the same as nearly as may be in accordance with the conditions of the gift or contribution, compatible with the best interests of the inmates and the state. The commissioner of public welfare is hereby constituted the "state agency" as defined by the social security act of the United States and the laws of this state for all purposes relating to mental health and mental hygiene.

For the purpose of carrying out his duties, the commissioner of public welfare shall accept from mentally deficient wards for whom he is specifically appointed guardian a signed application for his consent to the marriage of said ward. Upon receipt of such application he shall promptly conduct such investigation as he deems proper and determine if the contemplated marriage is for the best interest of the ward and the public. A signed copy of the commissioner's determination shall be mailed to the ward and to the clerk of the district court of the county where the application for such marriage license was made.

Approved April 24, 1959.

CHAPTER 639—S. F. No. 1411

[Coded]

An act relating to vocational training for inmates of the state prison and providing for the establishment of a laundry industry at the state prison.

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

Section 1. [640.285] **Laundry; establishment, sale of services.** The commissioner of public welfare is hereby authorized and empowered to establish, equip, maintain and operate a laundry industry at the state prison. This facility shall be for the primary purpose of teaching proper work habits to, and providing vocational training for the inmates of the state prison and not as a competitive business venture. To accomplish the foregoing purpose, the commissioner shall have the authority to sell such laundry industry services to state institutions under such rules and regulations as he may prescribe.

Approved April 24, 1959.
