

CHAPTER 390—H. F. No. 983

[Not Coded]

An act relating to county and city joint participation in establishment of detention facilities, workhouse, work farm or any combination thereof, and granting certain powers to the city of Saint Paul.

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

Section 1. Joint detention facilities, St. Paul—Ramsey, bonds. The City of Saint Paul is hereby authorized and empowered to borrow the additional sum of Five Hundred Thousand Dollars (\$500,000.00) for the purposes set forth in Laws 1955, Chapter 353, and to issue bonds in said amount, and to secure the payment of such bonds by pledging the full faith and credit of the City of Saint Paul therefor. The bonds shall be issued in accordance with Laws 1955, Chapter 353.

Approved April 12, 1957.

CHAPTER 391—S. F. No. 78

[Not Coded]

An act relating to salary of treasurer and auditor in certain counties.

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

Section 1. Counties; salary, treasurer and auditor. In any county having a population of over 45,000 and less than 49,000 according to the 1950 federal census, the board of county commissioners shall fix the salary of the county auditor and the county treasurer, at not to exceed \$7,500 per annum.

Approved April 12, 1957.

CHAPTER 392—S. F. No. 246

[Coded]

An act relating to the establishment of community mental health services programs, providing for state grants-in-aid to assist local communities and non-profit corporations in establishing and operating such programs.

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

Section 1. [245.61] Commissioner of public welfare may make grants for local mental health programs. The commissioner of public welfare is hereby authorized to make grants to assist cities, counties, towns, villages or any combinations thereof, or non-profit corporations in the establishment and operation of local mental health programs to provide the following services: (a) collaborative and cooperative services with public health and other groups for programs of prevention of mental illness, mental retardation, and other psychiatric disabilities; (b) informational and educational services to the general public, and lay and professional groups; (c) consultative services to schools, courts and health and welfare agencies, both public and private; (d) out-patient diagnostic and treatment services; (e) rehabilitative services for patients suffering from mental or emotional disorders, mental retardation and other psychiatric conditions particularly those who have received prior treatment in an in-patient facility.

Sec. 2. [245.62] Community mental health service programs and clinics. Any city, county, town, or village, or any combination thereof, of over 50,000 population, and upon consent of the Commissioner of Public Welfare, any city, county, town or village or combination thereof with less than 50,000 population, may establish a community mental health services program and may establish clinics and staff same with persons specially trained in psychiatry and related fields. Such programs and clinics may be administered by a city, county, town, village or non-profit corporation or a community mental health board established pursuant to this act.

Sec. 3. [245.63] Assistance or grant. Any city, county, town, village, non-profit corporation or community mental health board administering a mental health services program may apply for the assistance provided by this act by submitting annually to the commissioner of public welfare its plan and budget for the next fiscal year together with the recommendations of the community mental health board thereon. No program shall be eligible for a grant hereunder unless its plan and budget have been approved by the commissioner.

Sec. 4. [245.64] Funds allocated. At the beginning of each fiscal year the commissioner of public welfare shall allocate available funds to the mental health programs for disbursement during the fiscal year in accordance with such approved plans and budgets. The commissioner shall, from time to time during the fiscal year, review the budgets and expenditures of the various programs and if funds are not needed for a program to which they were allocated, he may,

after reasonable notice and opportunity for hearing, withdraw such funds as are unencumbered and reallocate them to other programs. He may withdraw funds from any program which is not being administered in accordance with its approved plan and budget.

Sec. 5. [245.65] Limitation on grants. Subdivision 1. Except as hereinafter provided, grants for any program shall not exceed 50 percent of the total expenditures for (a) salaries, (b) contract facilities and services, (c) operation, maintenance and service costs, (d) per diem and travel expense of members of community mental health boards, and (e) other expenditures specifically approved and authorized by the commissioner of public welfare, nor shall they exceed in any fiscal year 50 cents per capita of the area served by the program. Where any county served by a program hereunder has an assessed valuation of real and personal property of less than \$7,000,000 and the required total mill levy for all costs, including administrative costs, for all forms of public assistance exceeds by 50 percent or more the average required mill levy for such costs in all counties of the state, and the levy is insufficient to pay the county's share of such costs, grants hereunder, attributable to such county's proportionate share of the total expenditures based on the ratio of such county's population to the total population of the area served by the program, may exceed 50 percent of the total expenditures but shall not exceed 75 cents per capita of such county. No grants shall be made for capital expenditures. Grants may be made for expenditures for mental health services whether provided by operation of a local facility or through contract with other public or private agencies.

Subd. 2. Where local funds from any source other than the department of public welfare are being used to finance community mental health services prior to the effective date of this act, such funds shall not be used for matching state funds hereunder except that such local funds may be used for matching state funds for expansion of the existing services if such existing and expanded services conform to the provisions of this act.

Subd. 3. Existing local out-patient psychiatric clinic services now 100 percent state supported shall continue to receive such support until local funds are secured to provide 50 percent of such support but in no event beyond four years from the effective date hereof. Nothing in this act shall be construed to limit the power of the commissioner of public welfare to establish clinics pursuant to Section 246.014 (10).

Sec. 6. [245.66] Community health boards. Every city, county, town or village, or combination thereof establish-

ing a community mental health services program shall, before it may come within the provisions of this act, establish a nine member community mental health board. When any city, county, town or village singly establishes such a program, such board shall be appointed by the chief executive officer of such city or village or the chairman of the governing body of such county or town. When a non-profit corporation is the administrator of such a program not established by a city, county, town or village, such corporation shall select a community mental health board which shall be representative of the groups herein enumerated, but the number of members need not be nine. When any combination of the political subdivision herein enumerated establishes a community mental health services program, the chief executive officer of each participating city or village and the chairman of the governing body of each participating county or town shall appoint two members to a selecting committee which shall select the members of the board. Membership of the community mental health boards shall be representative of local health departments, medical societies, county welfare boards, hospital boards, lay associations concerned with mental health as well as labor, business and civic groups and the general public.

Sec. 7. [245.67] Members of community health boards; terms, vacancies, removal. Except for boards appointed by non-profit corporations, the term of office of each member of the community mental health board shall be for four years measured from the first day of the year of appointment except that of the members first appointed, three shall be appointed for a term of two years, three for a term of three years, and three for a term of four years. Vacancies shall be filled for the unexpired term in the same manner as original appointments. Any member of a board may be removed by the appointing authority for neglect of duty, misconduct or malfeasance in office, after being given a written statement of charges and an opportunity to be heard thereon.

Sec. 8. [245.68] Duties of community health boards. Subject to the provisions of this section and the rules and regulations of the commissioner of public welfare, each community mental health board shall:

(a) Review and evaluate community mental health service provided pursuant to this act, and report thereon to the commissioner of public welfare, the administrator of the program, and, when indicated, the public, together with recommendations for additional services and facilities;

(b) Recruit and promote local financial support for the program from private sources such as community chests, busi-

ness, industrial and private foundations, voluntary agencies and other lawful sources, and promote public support for municipal and county appropriations;

(c) Promote, arrange and implement working agreements with other social service agencies, both public and private, and with other educational and judicial agencies;

(d) Advise the administrator of the community mental health program on the adoption and implementation of policies to stimulate effective community relations;

(e) Review the annual plan and budget and make recommendations thereon; and

(f) When so determined by the authority establishing the program, act as the administrator of the program.

Sec. 9. [245.69] Additional duties, commissioner of public welfare. In addition to the powers and duties already conferred upon him by law the commissioner of public welfare shall:

(a) Promulgate rules and regulations governing eligibility of community mental health programs to receive state grants, prescribing standards for qualification of personnel and quality of professional service and for in-service training and educational leave programs for personnel, governing eligibility for service so that no person will be denied service on the basis of race, color or creed, or inability to pay, providing for establishment, subject to the approval of the commissioner, of fee schedules which shall be based upon ability to pay and the guiding principle of which shall be that no one who can afford to pay for his own treatment at the rate customarily charged in private practice shall be treated in the community mental health services clinic except as hereinafter provided, regulating fees for consultation and diagnostic services which services may be provided to anyone without regard to his financial status when referred by the courts, schools, or health or welfare agencies whether public or private, and such other rules and regulations as he deems necessary to carry out the purposes of this act;

(b) Review and evaluate local programs and the performance of administrative and psychiatric personnel and make recommendations thereon to community mental health boards and program administrators;

(c) Provide consultative staff service to communities to assist in ascertaining local needs and in planning and establishing community mental health programs; and

(d) Employ qualified personnel, including a director of community mental health services, under the supervision of the medical director to implement this act.

Approved April 12, 1957.

CHAPTER 393—S. F. No. 316

An act relating to notices of timber cutting; amending Minnesota Statutes 1953, Section 88.13.

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

Section 1. Minnesota Statutes 1953, Section 88.13, is amended to read:

88.13. Notices of cutting of timber; Posting; Failure to post. *Each year* before any person shall cut, or cause to be cut, any timber upon any land in, upon, or adjoining any forest or wild land area within this state, such person shall post in a conspicuous place in some camp building on the premises where the cutting is to be done or, if there be no such building, on and at the northwest corner of each 40 acre governmental subdivision or at the nearest corresponding point in each fractional subdivision of such lands, *and shall deliver in person or by registered mail, sealed and postage prepaid, a notice in writing in the English language, addressed to the commissioner of conservation and delivered or sent as above specified, to the division of forestry supervisory headquarters of the area in which the timber to be cut is located, specifying the name and post office address of such person and specifying a full description of all the lands upon which the cutting is to be done, designating the same by each 40-acre governmental subdivision or fraction thereof with the proper section, township, and range; which notice shall be kept continuously so posted during the entire time that the cutting is being done, together with a statement of the kind of products proposed to be cut, and who is to be responsible for the disposal of slashings and debris resulting from the cutting.*

The commissioner of conservation or his agent may execute a statement certifying that as of a certain date, no report of cutting had been received, as specified herein; such certified statement to be admitted as evidence in any prosecution for failure to report cutting.

Any person who fails to post and send the notice, as in this section required shall be guilty of a misdemeanor; and, upon conviction thereof, fined not less than \$25, or imprisoned