

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

Section 1. Minnesota Statutes 1961, Section 368.01, is amended to read:

368.01 Certain towns to have certain powers of villages. Any town in this state having therein platted portions in which there reside 1,200 or more people or any towns having platted area within 20 miles of the city hall of a city of the first class having over 200,000 population shall have and possess the same power and the same authority now possessed by villages in this state under the laws of this state insofar as such powers are enumerated in section 412.221, subdivisions 3, 6, 8, 9, 11, 14, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 28, 29, and 32, also the powers enumerated in sections 412.111, 412.191, subdivision 4, 412.231, 412.491, 412.851, 412.871, *465.01* and 471.62. The town board thereof may adopt, amend, or repeal such ordinances, rules, and bylaws for any purposes so enumerated as it deems expedient.

Approved April 17, 1963.

CHAPTER 258—H. F. No. 386

An act relating to admissions to state mental hospitals; amending Minnesota Statutes 1961, Section 525.75; Section 525.751, Subdivision 2.

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

Section 1. Minnesota Statutes 1961, Section 525.75, is amended to read:

525.75 State mental hospital; voluntary hospitalization. Any person desiring to receive treatment at a state hospital or institution may be admitted to such hospital or institution upon his application, in such manner and upon such conditions as the commissioner *of public welfare* may determine. The superintendent of such hospital or institution shall detain *and treat* such person ~~during~~ *the time of such treatment* as though he had been committed. If any such person in writing demands his release, the superintendent of such hospital or institution may detain such person for three days, *exclusive of Sundays and legal holidays*, after the date of such demand for release. If such superintendent deems such release not to be for the best interest of such person, his family, or the public, he shall, within said three days, *exclusive of Sundays and legal holidays*, file a petition for the commitment of such person to such

Changes or additions indicated by italics, deletions by ~~strikeout~~.

hospital or institution in the probate court of the country wherein such hospital or institution is located. *Upon the motion of such person the venue of the petition shall be changed to the probate court of the county of the person's residence, if he be a resident of the state of Minnesota, and thereupon the period of detention may be extended by the court until final determination of the matter. Such person after discharge shall have the right to receive the services of the county welfare department, provided in accordance with the requirements of section 525.761, subdivision 2, and the rules and regulations of the commissioner of public welfare, the same as though he had been a committed patient.*

Sec. 2. Minnesota Statutes 1961, Section 525.751, Subdivision 2, is amended to read:

Subd. 2. **Custody or restraint of patient.** The court may, if it determines that the best interest of the patient, his family, or the public is thereby served, direct the sheriff, or any other person, to take the patient into custody and confine him, for observation and examination, in any licensed hospital or any other place or institution consenting to receive him. The order of the court may be executed on any day and at any time thereof, by the use of all necessary means, including the breaking open of any door, window, or other part of the building, vehicle, boat or other place in which the patient is located, and the imposition of necessary restraint upon the person of such patient. Upon written certification by a licensed physician that he has examined a person and is of the opinion that the person is mentally ill and likely to cause injury to himself or others if not immediately restrained, setting forth the reasons for such opinion, and that an order of the court cannot be obtained in time to prevent such anticipated injury, the person may be admitted to a state hospital for the mentally ill with the consent of the superintendent thereof or his duly authorized agent and held for observation until a court order is obtained, but in no case shall he be held upon such certification for more than 72 hours: *exclusive of Sundays and legal holidays.*

Approved April 17, 1963.

CHAPTER 259—H. F. No. 510

[Not Coded]

An act relating to the salary of the judge of probate court of Kandiyohi county.

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

Changes or additions indicated by italics, deletions by strikeout.