

decree of divorce or other legal proceedings; provided, that if any person whose husband or wife has been absent for five successive years, without being known to such person to be living during that time, marries during the lifetime of such absent husband or wife, the marriage shall be void only from the time that its nullity is duly adjudged.

Sec. 5. *This act takes effect on January 1, 1964.*

Approved May 22, 1963.

CHAPTER 796—S. F. No. 364

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; amending Minnesota Statutes 1961, Section 245.65, Subdivision 1; Section 245.66; Section 245.67.

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

Section 1. Minnesota Statutes 1961, Section 245.65, Subdivision 1, is amended to read:

245.65 Community mental health; 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~~ *\$13,000,000* 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, *said county may levy annually, for the purposes of this act, a special tax in excess of any statutory limitation of not to exceed two mills and 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*

Changes or additions indicated by italics, deletions by strikeout.

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.

Sec. 2. Minnesota Statutes 1961, Section 245.66, is amended to read:

245.66 Community health boards. Every city, county, town or village, or combination thereof establishing a community mental health services program shall, before it may come within the provisions of sections 245.61 to 245.69, establish a ~~nine member~~ community mental health board. *When a combination of four or less of such political subdivisions establish such a program the board shall consist of nine members. When a combination of five or six of such political subdivisions establish such a program the board shall consist of at least nine members but not more than twelve members at the option of the selection committee. When seven or more of such political subdivisions establish such a program the board shall consist of at least nine members but not more than fifteen members at the option of the selecting committee.* 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, *agriculture*, business, and civic and professional groups and the general public. Nothing in this section shall be construed to preclude the appointment to the community mental health board of individuals who are also members of a board of county commissioners so long as the mental health board retains the representative character indicated above.

Sec. 3. Minnesota Statutes 1961, Section 245.67, is amended to read:

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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~~ *three* years measured from the first day of the year of appointment except that of the members first appointed, ~~three~~ *one-third* shall be appointed for a term of ~~two~~ *years*; ~~one~~ *year*, ~~three~~ *one-third* for a term of ~~three~~ *two* years, and ~~three~~ *one-third* for a term of ~~four~~ *three* years: *if there is a nine, twelve, or fifteen member board. Any remaining members first appointed shall serve the three year term.* 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.

Approved May 22, 1963.

CHAPTER 797—S. F. No. 708

[Coded]

An act relating to the control of the sale of subdivided lands; providing penalties.

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

Section 1. [83.01] **Subdivided lands; control of sale; definitions.** Subdivision 1. **Terms.** For the purpose of this act the terms defined in this section have the meanings ascribed to them.

Subd. 2. **Commissioner.** "Commissioner" means the commissioner of securities of the state of Minnesota or his authorized delegate.

Subd. 3. **Person.** "Person" means any person, firm, partnership, corporation, or other association.

Subd. 4. **Subdivision.** "Subdivision" or "subdivided lands" means improved or unimproved land or lands, located within or without the state, which are divided or proposed to be divided for the purpose of sale or lease, immediate or future, into 101 or more lots or parcels, contiguous in area and which are under common ownership or control.

Subd. 5. **Municipality** means city, village or borough.

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