

Subd. 2. **Reinstatement.** Except as otherwise herein-after provided, upon the completion of such service such officer or employee shall be reinstated in the public position, which he held at the time of entry into such service, or a public position of like seniority, status, and pay if such is available at the same salary which he would have received if he had not taken such leave, upon the following conditions: (1) that the position has not been abolished or that the term thereof, if limited, has not expired; (2) that he is not physically or mentally disabled from performing the duties of such position; (3) that he makes written application for reinstatement to the appointing authority within 90 days after termination of such service, or 90 days after discharge from hospitalization or medical treatment which immediately follows the termination of, and results from, such service; provided such application shall be made within one year and 90 days after termination of such service notwithstanding such hospitalization or medical treatment; (4) that he submits an honorable discharge or other form of release by proper authority indicating that his military or naval service was satisfactory. Upon such reinstatement the officer or employee shall have the same rights with respect to accrued and future seniority status; efficiency rating, vacation, sick leave, and other benefits as if he had been actually employed during the time of such leave. No officer or employee so reinstated shall be removed or discharged within one year thereafter except for cause, after notice and hearing; but this shall not operate to extend a term of service limited by law.

Approved April 23, 1945.

CHAPTER 490—S. F. No. 542

An act relating to feebleminded, inebriate and insane persons; defining the same, and amending Minnesota Statutes 1941, Section 525.751, as amended by Laws 1943, Chapter 612.

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

Section 1. **Definitions.** *Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of Minnesota Statutes 1941, Sections 525.75 to 525.79 shall be given the meanings ascribed to them.*

Subdivision 2. "Feebleminded persons" means any person, minor or adult, other than an insane person, who is so mentally defective as to require supervision, control and care for his own or the public welfare.

Subdivision 3. The word "inebriate" means any person incapable of managing himself or his affairs by reason of the habitual and excessive use of intoxicating liquors, drugs, or other narcotics.

Subdivision 4. The term "insane" means any person of unsound mind other than one who may be properly described as an inebriate or feebleminded person.

Sec. 2. Minnesota Statutes 1941, Section 525.751, as amended by Laws 1943, Chapter 612, Sec. 7, is amended to read as follows:

525.751. Institution of proceedings. Unless otherwise indicated by the context, the word "patient" as used in this article means any person for whose commitment as an insane, inebriate, feebleminded, or epileptic person, proceedings have been instituted or completed. Any reputable citizen may file in the court of the county of the patient's settlement or presence a petition for commitment setting forth the name and address of the patient and of his nearest relatives and the reasons for the application. If the court determines it to be for the best interest of the patient or of his family or of the public, the court may direct the sheriff or any other person to apprehend the patient and to take him to and confine him for observation and examination, in any hospital or any other place or institution consenting to receive him in the county wherein the proceedings are pending.

The person, hospital, or institution ordered by the court to make such apprehension, conveyance, or confinement, may execute the order on any day and at any time thereof, by using 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.

If the patient has no settlement in this state, all proceedings shall be stayed until the director of public institutions shall have consented thereto.

In all such proceedings the county attorney shall appear and represent the petitioner, and counsel shall be appointed

for the patient who shall receive compensation from the county in such amount as the court may order, if the patient is financially unable to provide counsel.

Approved April 23, 1945.

CHAPTER 491—S. F. No. 783

An act creating a commission composed of members of the House and Senate and one appointee of the attorney general, authorizing and directing such commission to make a study and investigation of the laws relating to drainage and surface and underground water resources, and prepare a bill revising and codifying such laws for presentation at the next legislative session, and appropriating money therefor.

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

Section 1. Interim committee created; drainage. That a commission of seven members be and hereby is created to consist of three members of the House of Representatives to be appointed by the speaker, three members of the Senate to be appointed by the committee on committees of the Senate, and one attorney from the attorney general's force to be designated by the attorney general, to revise and codify the laws of this state relating to drainage and to the surface and underground water resources. Such appointments shall be made forthwith upon the passage of this act, and the commission shall designate one of its members to act as chairman.

Sec. 2. Research; report. It shall be the duty of said commission to examine and compare existing laws relating to drainage and the surface and underground water resources of this state and similar laws in adjoining states or states having like conditions, and to prepare, propose and recommend such revision and codification as shall in their opinion simplify, harmonize and complete the same, and shall be best suitable toward effectuating the ends to be gained by such laws. The commission shall prepare the same in the form of a bill for presentation at the next regular legislative session and shall file their report of such revision and codification, with such explanations thereof as may be necessary, not later than the opening day of the next legislative session.

Sec. 3. Hearings. The commission shall have the authority and power to hold hearings at such times and places as