

CHAPTER 243. ADULT CORRECTIONS

ADULT CORRECTIONS, GENERALLY	CORRECTIONAL INSTITUTIONS
Sec.	Sec.
243.02 Repealed.	243.65 Repealed.
243.03 Repealed.	243.66 Factory at the state prison.
243.04 Repealed.	243.67 Sale of products.
243.09 Supervision by commissioner of corrections; agents.	243.69 Repealed.
243.16 Interstate compact for the supervision of parolees and probationers.	243.81 Repealed.
243.23 Compensation paid to inmates.	243.82 Repealed.
243.43 Use of fund.	243.86 Repealed.
	243.88 Private industry on grounds of correctional institutions [New].

ADULT CORRECTIONS, GENERALLY

- 243.02 [Repealed, 1973 c 654 s 14]
 243.03 [Repealed, 1973 c 654 s 14]
 243.04 [Repealed, 1973 c 654 s 14]

243.09 Supervision by commissioner of corrections; agents

Subdivision 1. The commissioner of corrections, as far as possible, shall exercise supervision over persons released on parole or probation by the authority pursuant to section 242.19 or 243.05.

Subd. 2. The commissioner of corrections shall exercise supervision over probationers as provided in section 609.135, and over persons conditionally released pursuant to section 241.26.

Subd. 3. For the purposes of subdivisions 1 and 2, and section 242.19, the commissioner shall appoint state agents who shall be in the classified service of the state civil service. He may also appoint suitable persons in any part of the state for the same purposes. Every such agent or person shall perform such duties as the commissioner may prescribe in behalf of or in the supervision of those persons described in subdivision 2, and, in addition shall act under the orders of the authority in the supervision of those persons conditionally released as provided in subdivision 1, including providing assistance to such conditionally released persons in obtaining employment and the conduct of such investigations into the circumstances and conditions and social histories of persons subject to the control of the commissioner or the authority, and their dependents as may be directed by the commissioner or the authority.

Subd. 4. The commissioner of corrections shall provide the authority with all other personnel, supplies, equipment, office space, and other administrative services necessary and incident to the discharge of the functions of the authority.

[1973 c 654 s 13]

243.16 Interstate compact for the supervision of parolees and probationers

[For text of subds. 1 to 5, see M.S.1971]

Subd. 6. Interstate compact for supervision of parolees and probationers.

(1) Where supervision of a parolee or probationer is being administered pursuant to the Interstate Compact for the Supervision of Parolees and Probationers, the appropriate judicial or administrative authorities in this state shall notify the compact administrator of the sending state whenever, in their view, consideration should be given to retaking or reincarceration for a parole or probation violation. Prior to the giving of any such notification, a hearing shall be held in accordance with this subdivision within a reasonable time, unless such hearing is waived by the parolee or probationer. The appropriate officer or officers of this state shall as soon as practicable, following termination of any such hearing, report to the sending state, fur-

243.16 ADULT CORRECTIONS

nish a copy of the hearing record, and make recommendations regarding the disposition to be made of the parolee or probationer by the sending state. Pending any proceeding pursuant to this section, the appropriate officers of this state may take custody of and detain the parolee or probationer involved for a period not to exceed 15 days prior to the hearing and, if it appears to the hearing officer or officers that retaking or reincarceration is likely to follow, for such reasonable period after the hearing or waiver as may be necessary to arrange for the retaking or reincarceration.

(2) Any hearing pursuant to this subdivision may be before the administrator of the Interstate Compact for the Supervision of Parolees and Probationers, a deputy of such administrator, or any other person authorized pursuant to the laws of this state to hear cases of alleged parole or probation violations, except that no hearing officer shall be the person making the allegation of violation.

(3) With respect to any hearing pursuant to this subdivision, the parolee or probationer:

(a) Shall have reasonable notice in writing of the nature and content of the allegations to be made, including notice that its purpose is to determine whether there is probable cause to believe that he has committed a violation that may lead to a revocation of parole or probation.

(b) Shall be permitted to advise with any persons whose assistance he reasonably desires, prior to the hearing.

(c) Shall have the right to confront and examine any persons who have made allegations against him, unless the hearing officer determines that such confrontation would present a substantial present or subsequent danger of harm to such person or persons.

(d) May admit, deny or explain the violation alleged and may present proof, including affidavits and other evidence, in support of his contentions. A record of the proceedings shall be made and preserved.

(4) In any case of alleged parole or probation violation by a person being supervised in another state pursuant to the Interstate Compact for the Supervision of Parolees and Probationers, any appropriate judicial or administrative officer or agency in another state is authorized to hold a hearing on the alleged violation. Upon receipt of the record of a parole or probation violation hearing held in another state pursuant to a statute substantially similar to this subdivision, such record shall have the same standing and effect as though the proceeding of which it is a record was had before the appropriate officer or officers in this state, and any recommendations contained in or accompanying the record shall be fully considered by the appropriate officer or officers of this state in making disposition of the matter.

(5) Copies of this subdivision shall, upon its approval, be distributed as provided in subdivision 5.

[1973 c 84 s 1]

243.23 Compensation paid to inmates

Notwithstanding any law to the contrary, the commissioner of corrections is authorized and empowered to provide for the payment to inmates of correctional institutions under his management and control of such pecuniary compensation as he may deem proper, the amount of compensation to depend upon the quality and character of the work performed as determined by the commissioner of corrections and the warden or superintendent, provided that such inmates who because of illness or physical disability cannot work may be paid a minimal amount per day as determined by the commissioner. Such earnings shall be paid out of the fund provided for the carrying on of the work in which the inmate is engaged when employed on state account, or from the current expense fund of the institution as the commissioner of corrections shall determine.

[1973 c 307 s 1]

CORRECTIONAL INSTITUTIONS

243.43 Use of fund

Subdivision 1. The fund shall be used for the purchase of raw materials, payment of salaries and wages, and other expenses necessary and proper in the conduct of such industrial enterprises, authorized by law, and for such other purposes, or be devoted to such other uses, as may hereafter be by law duly authorized.

Subd. 2. In addition to the authority contained in subdivision 1, the expenses of inmate vocational training and recreational programs may be financed from the fund in an amount not to exceed two thirds of the net profits from the industrial enterprises for the year immediately preceding the year the expenses are incurred.

Subd. 3. The proceeds from the investment of money in the fund not currently needed shall be accounted for separately and credited to the fund.

[1973 c 301 s 1]

243.65 [Repealed, 1973 c 512 s 3]**243.66 Factory at the state prison**

The commissioner of corrections is hereby authorized, empowered, and directed to establish, construct, equip, maintain, and operate, at the state prison, a factory for the manufacture of goods, wares and merchandise. The factory herein authorized shall be for the primary purpose of providing suitable employment for the inmates of the state prison, their vocational training, and to aid them in the development of proper work habits. For the purposes of, and to give full effect to sections 243.66 and 243.67, the commissioner may use all of the existing state prison revolving fund created by and existing under sections 243.41 to 243.44. The commissioner and the warden of the prison shall, at all times, in the line of manufacturing herein authorized and directed, employ and make use of inmate labor to the largest extent feasible, provided, however, that the commissioner may employ such administrative, supervisory and other skilled craftsmen as are necessary for the efficient and profitable operation of the factory herein authorized and the proper instruction and supervision of the inmates employed therein.

The commissioner and the warden of the prison are hereby authorized, directed, and instructed to establish in and throughout all parts of this state, local selling agencies, and to contract with such agencies for the local sale of goods, wares and merchandise, the manufacture of which is authorized by sections 243.66 and 243.67, at prices to be fixed by the warden and the commissioner of corrections, and the local agencies so contracted with are hereby authorized, in the re-sale thereof to their actual customers therefor, to charge advance prices equaling 20 percent of the prices charged them for such products, plus actual freight charges, but not a greater profit thereon, and the contracts entered into with these agencies shall be so worded as to obligate them to be diligent in the prosecution of the sales of such products to the customers therefor.

[1973 c 512 s 1]

243.67 Sale of products

Except as provided otherwise, the commissioner of corrections shall cause the products manufactured at such factory to be sold under and pursuant to such rules and regulations as the commissioner shall make, from time to time, for the sale thereof and sold for cash or security approved by the warden.

[1973 c 512 s 2]

243.69 [Repealed, 1973 c 512 s 3]

243.81 [Repealed, 1973 c 512 s 3]

243.82 [Repealed, 1973 c 512 s 3]

243.86 [Repealed, 1973 c 512 s 3]

243.88 ADULT CORRECTIONS

243.88 Private industry on grounds of correctional institutions

Subdivision 1. Notwithstanding the provisions of any law to the contrary, the commissioner of administration, with the approval of the governor, may lease one or more buildings or portions thereof on the grounds of any state adult correctional institution, together with the real estate needed for reasonable access to and egress from the leased buildings, for a term not to exceed 20 years, to a private corporation for the purpose of establishing and operating a factory for the manufacture and processing of goods, wares or merchandise.

Subd. 2. The corporation operating a factory under this section may employ persons conditionally released subject to the provisions of section 241.26, and such persons shall be deemed to be parolees within the purview of 49 United States Code, Section 60.

Subd. 3. Any factory established under the provisions of this section shall be deemed a private enterprise and subject to all the laws, rules and regulations of this state governing the operation of similar business enterprises elsewhere in this state, and the products manufactured therein shall be exempt from the provisions of section 243.86.

Subd. 4. The authority of the commissioner of corrections over the institutions of the department of corrections and the inmates thereof shall not be diminished by this section.

[1973 c 145 s 1]

PUBLIC WELFARE AND RELATED ACTIVITIES

CHAPTER 245. DEPARTMENT OF PUBLIC WELFARE

Sec.		Sec.	
245.0313	Aid to the disabled; mentally retarded.	245.77	Legal settlement of persons receiving assistance; acceptance of federal funds.
245.033	Repealed.	245.83	Grants for child care service; definitions.
245.46	Repealed.	245.84	Authorization to make provisional grants.
245.62	Community mental health program; tax levy.	245.85	Termination of all or part of a grant.
245.65	Limitation on grants.	245.86	Authorization to counties and municipalities to make grants.
245.692	Repealed.	245.87	Allocations.
245.693	Repealed.		
245.694	Repealed.		
245.695	Repealed.		

245.0313 Aid to the disabled; mentally retarded

Notwithstanding any provision of law to the contrary, the cost of care not met by federal funds for any mentally retarded patient eligible for the medical assistance program or the supplemental security income for the aged, blind and disabled program in institutions under the control of the commissioner of public welfare shall be paid for from state funds.

[1973 c 717 s 10]

245.033 [Repealed, 1973 c 717 s 33]

245.46 [Repealed, 1973 c 650 art XXI s 33]

245.62 Community mental health program; tax levy

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 sections 245.61 to 245.69.