

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 sections 245.61 to 245.69.

(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 sections 245.61 to 245.69.~~

Approved May 15, 1975.

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#### CHAPTER 123—H.F.No.540

*An act relating to courts; providing for non-transfer of filing fee when venue is changed in civil actions; amending Minnesota Statutes 1974, Section 542.10.*

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:**

Section 1. Minnesota Statutes 1974, Section 542.10, is amended to read:

**542.10 COURTS; CHANGE OF VENUE AS OF RIGHT; DEMAND; FILING FEES.** If the county designated in the complaint is not the proper county, the action may notwithstanding be tried therein unless, within 20 days after the summons is served, the defendant demands in writing that it be tried in the proper county. This demand shall be accompanied by the affidavit of the defendant, or his agent or attorney, setting forth the county of his residence at the time of the commencement of the action, the date of service of the summons, and stating that neither the cause of action nor any part thereof arose in the county designated in the complaint. This demand and affidavit, with *proof of service thereof upon the plaintiff's attorney, shall be filed with the clerk in the county where the action was begun within 30 days from the date of its service and thereupon, unless the county where*

Changes or additions indicated by underline deletions by ~~strikeout~~

the action was begun is a county in which the cause of action or some part thereof arose, the place of trial shall be changed to the county where the defendant resides without any other proceedings. If the county designated in the complaint is not the county in which the cause of action or some part thereof arose and if there are several defendants residing in different counties, the trial shall be had in the county upon which a majority of them unite in demanding or, if the numbers be equal, in that whose county seat is nearest. When the place of trial is changed all other proceedings shall be had in the county to which the change is made, unless otherwise provided by consent of parties filed with the clerk or by order of the court and the papers shall be transferred and filed accordingly. When a demand for a change of the place of trial is made as herein provided the action shall not for any of the reasons specified in section 542.11 be retained for trial in the county where begun, but can be tried therein only upon removal thereto from the proper county in the cases provided by law.

A party who has paid the filing fee of the county where the action originated shall not be required to pay the filing fee of the county to which the action is transferred. The transferor county may retain any filing fees received prior to the change of county, but shall in writing advise the county to which the action is transferred of any and all such filing fees paid to the transferor county.

Approved May 15, 1975.

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CHAPTER 124—H.F.No.939

[Not Coded]

*An act relating to retirement; increasing firemen's service pensions payable to members of the Lake Johanna Volunteer Firemen's Benefit Association.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. LAKE JOHANNA, CITY OF; VOLUNTEER FIREMEN'S BENEFIT ASSOCIATION; SERVICE PENSIONS. Subdivision 1. The Lake Johanna Volunteer Firemen's Benefit Association may pay firemen's service pensions in excess of the amounts authorized by Minnesota Statutes, Section 69.691, but not in excess of the following total amounts: \$120 per month, as hereinafter authorized, or as may be provided by its bylaws to each of its members who has heretofore retired or may hereafter retire, who has reached or shall hereafter reach the age of 50 years and who has done or hereafter shall do active duty for 20 years or more as a member of the volunteer, or partially paid and partially volunteer, Lake Johanna fire department, and who has been or shall hereafter be a member of the fire department benefit association at least ten years prior to such retirement and who complies with such additional conditions as to age, service, and membership as may

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