
CHAPTER 707-S.F.No.1073

[Coded]

An act relating to corrections; establishing a facility for the care and treatment of inmates of correctional institutions who become mentally ill; providing for their commitment and detention for treatment; appropriating money.

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

Section 1. **[241.69] PSYCHIATRIC UNIT; ESTABLISHMENT.** Subdivision 1. **AUTHORITY; RULES.** The commissioner of corrections shall, in accordance with applicable rules and standards prescribed by the departments of health and welfare, establish, staff, equip, maintain and operate at one of the adult correctional institutions under his control a psychiatric unit for the care and treatment of those inmates of state correctional institutions who become mentally ill.

Subd. 2. **EXAMINATION.** When any person confined in an adult correctional institution under the control of the commissioner of corrections is alleged to be a mentally ill person, the chief executive officer or other person in charge of the institution shall cause him to be examined by a licensed physician especially qualified in the diagnosis of mental illness, or, if none is available, by any licensed physician or licensed certified psychologist available to the institution.

Subd. 3. **TRANSFER.** If the examining physician or psychologist finds the person to be mentally ill and in need of short term care, he may recommend transfer by the commissioner of corrections to the psychiatric unit established pursuant to subdivision 1.

Subd. 4. **COMMITMENT.** If the examining physician or psychologist finds the person to be mentally ill and in need of long term care in a hospital, or if an inmate transferred pursuant to subdivision 3 refuses to voluntarily participate in the treatment program at the psychiatric unit, the chief executive officer of the institution or other person in charge shall initiate proceedings for judicial commitment as provided in section 253A.07. Upon the recommendation of the physician or psychologist and upon completion of the hearing and consideration of the record, the court may commit the person to the psychiatric unit established in subdivision 1 or to another hospital.

Subd. 5. **DISCHARGE.** The chief medical officer of the psychiatric unit established under this section may, subject to the provisions of chapter 253A, provisionally discharge any inmate patient admitted as mentally ill without discharging the commitment and order his release into the general population of the institution from which admitted, subject to return to the facility for further treatment.

When certified by him that a patient is no longer in need of institutional care for his mental illness the chief medical officer of the facility shall discharge the patient to the institution from which committed, and the discharge shall also discharge the mental illness commitment.

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

A copy of the certification that the inmate is no longer in need of care for his mental illness shall be transmitted to the corrections board. The corrections board shall give serious consideration to the aforementioned certification for purposes of their supervision over the inmate upon his release.

Subd. 6. TRANSFER UPON EXPIRATION OF SENTENCE. If the sentence of a person who has been adjudicated to be mentally ill and committed to the psychiatric unit established under this section should expire before he recovers and is discharged therefrom, and, in the judgment of the chief medical officer of the unit, he requires further hospitalization for his mental illness, he shall be transferred by the commissioner of corrections to a state hospital designated by the commissioner of welfare, there to be detained as in the case of other mentally ill persons under judicial commitment.

Subd. 7. COSTS. The costs of the commitment proceedings under this section shall be borne by the state.

Subd. 8. DEFINITION. For the purposes of this section, the words defined in section 253A.02 have the meanings given them in that section.

Sec. 2. APPROPRIATIONS. The sum of \$10,000 is appropriated from the general fund to the commissioner of corrections for the purpose of paying the costs specified in subdivision 7.

Approved March 28, 1978.

CHAPTER 708-S.F.No.1364

An act relating to the state civil service; requiring a statewide affirmative action program and agency plans; providing for expanding eligible lists so as to include protected group members; amending Minnesota Statutes 1976, Section 43.15.

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

Section 1. Minnesota Statutes 1976, Section 43.15, is amended to read:

43.15 AFFIRMATIVE ACTION; DISCRIMINATION FORBIDDEN. Subdivision 1. STATEWIDE AFFIRMATIVE ACTION PROGRAM. In order to assure that positions in the state civil service are equally accessible to all qualified persons, and in order to eliminate the underutilization of qualified members of protected groups, the commissioner of personnel shall adopt and periodically revise as necessary a statewide affirmative action program covering all agencies in the executive branch. The commissioner shall designate a state director of equal employment opportunity to serve in the unclassified service and to whom may be delegated the preparation, revision and implementation of the program. The statewide program and any revisions thereto shall be adopted as rules but individual agency affirmative action plans adopted pursuant to the statewide program shall not be adopted as rules. As used in this section, "protected group" means a group consisting of

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