

CHAPTER 356—S.F.No. 824

An act relating to local government; limiting spending for certain cemeteries; amending Minnesota Statutes 1978, Section 471.24; repealing Minnesota Statutes 1978, Section 471.25.

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

Section 1. Minnesota Statutes 1978, Section 471.24, is amended to read:

471.24 STATUTORY CITIES AND TOWNS MAY JOIN IN MAINTAINING CEMETERIES. Where a statutory city or town owns and maintains an established cemetery or burial ground, either within or without the municipal limits, the statutory city or town may, by mutual agreement with contiguous statutory cities and towns, each having an assessed valuation of not less than \$500,000, join together in the maintenance of such public cemetery or burial ground for the use of the inhabitants of each of such municipalities; and each such municipality is hereby authorized, by action of its council or governing body, to levy a tax or make an appropriation for the support and maintenance of such cemetery or burial ground; provided, the amount thus levied or appropriated by each municipality shall not exceed a total of ~~\$2000~~ \$5,000 in any one year ~~except that any of the aforesaid towns the assessed valuation of which exceeds \$2,000,000 may levy \$3000 in any one year~~.

Sec. 2. Minnesota Statutes 1978, Section 471.25, is repealed.

Approved March 18, 1980

CHAPTER 357—S.F.No. 888

An act relating to tuberculosis; eliminating certain obsolete language from tuberculosis statutes; requiring detection and treatment of tuberculosis under certain circumstances; closing the Glen Lake State Sanatorium; requiring the treatment of tuberculosis; allocating costs of tuberculosis treatment for persons in the welfare system; amending Minnesota Statutes 1978, Sections 144.422, Subdivisions 2, 6, 7 and 9; 144.424, Subdivisions 8, 9 and 11; 144.425; 144.45; 144.471; 144.49, Subdivisions 5 and 8; 197.01; 241.07; 241.15; 246.014; 246.28; 251.043, Subdivision 1; 251.053; 251.15, Subdivision 1; and 256.01, Subdivision 2; repealing Minnesota Statutes 1978, Sections 144.42; 144.421; 144.424, Subdivision 10; 144.427; 144.428; 144.429; 144.43; 144.46; 144.47; 144.50, Subdivision 4; 145.13; 145.24, Subdivision 4; 246.014, Subdivision 8; 251.01; 251.011, Subdivisions 2 and 5; 251.02; 251.03; 251.08; 251.09; 251.10; 251.11; 251.12; 251.13; 251.14; 251.16; and 376.18 to 376.54.

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

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Section 1. Minnesota Statutes 1978, Section 144.422, Subdivision 2, is amended to read:

Subd. 2. **REPORTS OF SUSPECTS.** Any health officer who has information that a patient does by his conduct or mode of living, endanger the health and well-being of his family or other persons, may make a report thereof to the county board of the county in which ~~such~~ the patient resides or is found. The report shall state the name and address of the patient and a summary of the health officer's information. If upon the examination of ~~said~~ the report the county board shall have reasonable cause to believe that the patient is infected with tuberculosis in the infectious stage and does by his conduct or mode of living, endanger the health and well-being of his family or other persons it shall so find, and may by resolution direct that the patient be committed to the tuberculosis sanatorium ~~or~~ public hospital designated in the resolution where ~~he~~ the patient shall remain until discharged by the superintendent ~~or~~ chief medical officer of the institution ~~hospital~~. A copy of ~~said~~ the resolution shall be served upon the patient in the manner of service of a summons in a civil action. If the patient refuses to enter ~~such institution~~ the hospital, a copy of ~~said~~ the resolution with ~~such~~ the findings and with proof of the service aforesaid, certified to by the county auditor, shall be filed with the clerk of the district court of the county in which ~~such~~ the proceedings were ~~had~~ held, and upon presentation thereof to a judge of ~~said~~ the court, ~~such~~ the judge shall order the sheriff or other person to apprehend the patient and deliver him to the superintendent ~~or~~ chief medical officer of the institution ~~hospital~~ designated in the resolution.

Sec. 2. Minnesota Statutes 1978, Section 144.422, Subdivision 6, is amended to read:

Subd. 6. **FINDINGS, COMMITMENT.** If the patient ~~be~~ is found to be afflicted with tuberculosis in the infectious stage and the court ~~shall find~~ finds that the patient does by his conduct or mode of living, endanger the health and well-being of his family or other persons, and finds and determines it to be for the best interests of the patient, his family or the public, the court shall issue to the sheriff a warrant, in duplicate, committing the patient to the custody of the superintendent of the tuberculosis sanatorium ~~or~~ chief medical officer of the public hospital named in its findings and determination, where the patient shall remain until discharged therefrom by ~~said superintendent~~ or the chief medical officer when his discharge will not endanger the health of any other person, or by the court upon petition of the patient. The court may, upon consent of the commissioner of public welfare, order the patient confined at the tuberculosis unit at Anoka State Hospital ~~or~~ at such other tuberculosis unit as a place the commissioner may designate until ~~such time~~ as the commissioner determines ~~he~~ the patient may be safely cared for at the sanatorium ~~or~~ the hospital, and at any time prior to ~~his~~ the patient's discharge the commissioner, upon request of the superintendent ~~of such sanatorium~~ or the officer in charge of ~~such~~ the hospital, may return the patient to ~~such unit~~ the place designated by the commissioner.

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Sec. 3. Minnesota Statutes 1978, Section 144.422, Subdivision 7, is amended to read:

Subd. 7. **HEALTH OFFICER MAY PETITION FOR COMMITMENT.** Any health officer who has the information referred to in subdivision 2, may, ~~in the first instance,~~ file in the district court of the county in which the patient resides or is found, a petition for commitment of the patient to a ~~tuberculosis sanatorium~~ or public hospital, setting forth the name and address of the patient and the reasons for the petition. Upon filing such the petition proceedings shall be ~~had thereon~~ conducted as provided for in subdivisions 5 and 6. In such cases reference in those subdivisions to "adverse party" shall be understood as referring to the patient, and reference to "appeal" as referring to the petition.

Sec. 4. Minnesota Statutes 1978, Section 144.422, Subdivision 9, is amended to read:

Subd. 9. **EXPENSES AND COST, PAYMENT.** The expense of the proceedings ~~had~~ under the provisions of subdivisions 1 to 7, and the cost of the care, treatment and maintenance furnished to ~~such the~~ committed person, is a charge against the county of his residence. If ~~such the~~ person resided in the state throughout the year preceding ~~his~~ commitment under the provisions of ~~said those~~ subdivisions, exclusive of the time spent in a hospital or ~~sanatorium~~, but did not reside continuously in any one county during ~~said that~~ that time, then the cost of ~~his the person's care, treatment and maintenance shall be paid by the county in which he longest resided the person resided longest~~ during the year preceding ~~his~~ commitment hereunder. If ~~such the~~ person did not reside in the state throughout the year preceding ~~his~~ commitment, exclusive of the time spent in a hospital or ~~sanatorium~~, then ~~his the person's care, treatment and maintenance shall be provided by the state of Minnesota at the Glen Lake Sanatorium or if committed by the district court at the tuberculosis unit at Anoka State Hospital, or at such other tuberculosis unit as at a place the commissioner may designate, and the county of commitment shall pay an amount not to exceed 20 percent of the cost of such care. The county in which such the person is present at the time of commitment shall conduct an investigation of his the person's residence and financial circumstances and shall submit such information from the investigation to the commissioner of public welfare within one month of the date of commitment. The commissioner of public welfare shall pay out of aid to county sanatoria funds, aid in the maintenance of each committed patient treated in any public sanatorium at the expense of any county and aid for surgery to effect treatment of tuberculosis of a committed patient who is a nonresident of the county or group of counties maintaining the sanatorium; the amounts authorized by provisions of sections 376.31 and 376.33, as amended. Any question arising between counties as to the place of residence of a committed person shall be determined in accord with the provisions of section 376.18.~~

Sec. 5. Minnesota Statutes 1978, Section 144.424, Subdivision 8, is amended to read:

Subd. 8. Any person entering any ~~public sanatorium~~ or hospital for tuberculous care and treatment under the provisions of any law of this state, shall

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observe all regulations of the ~~sanatorium or~~ hospital. When any person fails to obey ~~such the~~ regulations, ~~he that person~~ may be placed and confined in quarters apart from the other patients. Any person admitted upon application to the ~~state sanatorium or to any county sanatorium or hospital under the provisions of Minnesota Statutes 1949, Section 251.02 or Sections 376.33 and 376.34,~~ who is afflicted with tuberculosis in the infectious stage, and who repeatedly violates ~~such~~ regulations or attempts or threatens to leave the ~~institution~~ hospital without the consent of the ~~superintendent or chief medical officer thereof~~, may be restrained by reasonable force, if necessary, and ~~thereupon, said the superintendent or chief medical officer may institute proceedings to commit such the person as a public health menace under the provisions of section 144.422, subdivisions 1 to 7.~~ In such cases the ~~said superintendent and the said chief medical officer shall have all the powers of sections 144.422, 144.424 and 144.425 vested in health officers.~~

Sec. 6. Minnesota Statutes 1978, Section 144.424, Subdivision 9, is amended to read:

Subd. 9. Any person who is confined to any sanatorium or hospital for tuberculous care and treatment, whether committed under the provisions of section 144.422, subdivisions 1 to 7, or entering the same voluntarily, and who is refused discharge upon written demand ~~therefor to superintendent or the chief medical officer thereof~~, may petition the district court of the county in which ~~such institution the hospital~~ is located for an order directing his release, and if it shall ~~appear appears~~ to the court after a trial on the merits that ~~said the patient~~ is not afflicted with tuberculosis in the infectious stage and has progressed in the cure of the disease ~~with which he is afflicted to a point where if he is released he when his release will not endanger the health and well-being of his family or other persons, the court may direct his release.~~ Such petition shall not be renewed oftener than once every six months.

Sec. 7. Minnesota Statutes 1978, Section 144.424, Subdivision 11, is amended to read:

Subd. 11. If any person committed under the provisions of section 144.422, subdivisions 1 to 7, wilfully violates any regulation adopted pursuant to subdivision 10 of this section, or leaves a ~~sanatorium or~~ hospital without consent of the ~~superintendent or officer in charge thereof~~, ~~the superintendent of the sanatorium or the chief medical officer of the hospital may file an affidavit with the committing court setting forth such these facts.~~ Upon such notice and hearing as the court may order and upon consent of the commissioner of public welfare, the court may amend its commitment and order ~~such the person to be confined in the tuberculosis unit at Anoka State Hospital or at such other tuberculosis unit as a place the commissioner may designate, as provided by section 144.422, subdivision 6 designates.~~

Sec. 8. Minnesota Statutes 1978, Section 144.425, is amended to read:

144.425 PATIENTS; FACILITIES, TRANSFER. The commissioner of public welfare is hereby authorized and directed to provide adequate facilities at one of the state institutions under his control where proper care can be provided

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and where proper precautions can be taken to detain and safely keep any person committed thereto under the provisions of sections 144.422 or 144.424. When it is deemed necessary or desirable, any such person may be transferred from another institution to the institution providing such facilities with the approval of the commissioner of public welfare. The commissioner of public welfare shall establish the rates to be charged for care and treatment at such facilities. Where the patient is committed or transferred to such facility from the state sanatorium or a county sanatorium, the cost of his transportation to and from the facility and his care and treatment therein shall be paid as provided in section 144.422, subdivision 9, provided such costs may be paid from the county sanatorium fund of the county of his residence. The commissioner of public welfare shall arrange appropriate medical care for any patient who contracts tuberculosis at a state-operated hospital or nursing home. The cost of the care including transportation costs shall be paid from appropriations to the commissioner for state-operated hospitals and nursing homes .

Where it is deemed necessary or desirable, the commissioner of corrections, with the consent of the commissioner of public welfare, may authorize the transfer of any inmate afflicted with tuberculosis from any of the state penal institutions under his control and management to said tuberculosis detention facility to be held until his disease is arrested or his sentence expires whereupon he shall be returned to the institution from which he came unless his sentence to such institution shall have expired. The state hospital receiving such patients from the state penal institutions shall make no charge for such care.

Sec. 9. Minnesota Statutes 1978, Section 144.45, is amended to read:

144.45 **TUBERCULOSIS IN SCHOOLS; CERTIFICATE.** No ~~teacher, pupil, or employee about a school building who is afflicted~~ person with active tuberculosis shall remain in or about such ~~near a school building unless he~~ person has a certificate issued by the ~~local board of health~~ a physician stating that ~~he does not endanger the health of other persons by his~~ the person's presence in ~~such a school building will not endanger the health of other people.~~

Sec. 10. Minnesota Statutes 1978, Section 144.471, is amended to read:

144.471 **LOCAL BOARD OF HEALTH; DUTIES.** When any person having tuberculosis is not attended by any physician or when the physician attending any such person fails to perform any duty required of him by any provision of sections 144.42 and 144.424 to 144.47, the duties required to be so performed by any such physician shall be performed by the local board of health.

Sec. 11. Minnesota Statutes 1978, Section 144.49, Subdivision 5, is amended to read:

Subd. 5. Any person violating any of the provisions of sections 144.42 and 144.424 to 144.47 is guilty of a misdemeanor.

Sec. 12. Minnesota Statutes 1978, Section 144.49, Subdivision 8, is amended to read:

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Subd. 8. Any person lawfully engaged in the practice of healing who willfully makes any false statement in any report required to be made by him pursuant to sections ~~144.42 and 144.424 to 144.47~~ or ~~who certifies falsely as to any precautions taken or instructions given to safeguard the health and well-being of any person pursuant to section 144.427~~ is guilty of a misdemeanor.

Sec. 13. Minnesota Statutes 1978, Section 197.01, is amended to read:

197.01 **FUNDS COLLECTED FROM UNITED STATES.** The commissioner of veterans affairs, the board, ~~superintendent,~~ commission, or other administrative body in charge of any state ~~insane~~ hospital, ~~Minnesota State Sanatorium,~~ the University of Minnesota hospitals, or any state institution or in charge of any county hospital or ~~sanatorium for consumptives~~, whether maintained by one county or by a group of counties in which any persons suffering from disability incurred in or connected with service in the military or naval forces of the United States in the world war are inmates or domiciled, for whose care and maintenance provision is made by the United States government, are ~~hereby authorized and directed to~~ shall collect from the United States veterans' bureau or other agency of the United States government authorized to pay for the care and support of ~~such~~ these persons, the maximum amount allowed and that can be collected for the care, maintenance, and treatment of any and all ~~such~~ these ex-service persons.

Sec. 14. Minnesota Statutes 1978, Section 241.07, is amended to read:

241.07 **TRANSFER OF INMATES TO OTHER STATE INSTITUTIONS.** The commissioner of corrections may transfer an inmate of the state prison, state reformatory for men, or Minnesota correctional institution for women to a state institution for the mentally ill- or the mentally retarded or epileptic ~~or to the state sanatorium~~ for diagnosis, treatment, or care which is not available at the prison or at a reformatory and shall cause a proper record ~~thereof~~ to be made at the institutions to which a transfer has been made and at his office. No ~~such~~ transfer shall be made by the commissioner of corrections without the approval of the commissioner of public welfare. An inmate of the prison or reformatory so transferred shall be returned to the prison or reformatory by order of the commissioner of corrections upon conclusion of treatment, or, if the inmate becomes eligible for release from custody pursuant to the terms of his the sentence prior to conclusion of treatment, ~~he the~~ inmate shall be released unless prior to ~~such~~ this time, ~~he the~~ inmate shall have been committed to ~~such~~ a medical institution by competent authority as provided by law. The superintendent of any state hospital for the mentally ill or institution for the mentally retarded or epileptic shall at once notify the commissioner of corrections if there is any question as to the propriety of the commitment or detention of any person admitted to ~~such~~ an institution and the commissioner shall immediately take action thereon.

Sec. 15. Minnesota Statutes 1978, Section 241.15, is amended to read:

241.15 **SCOPE OF PHYSICAL EXAMINATION.** ~~Such~~ The physical examination shall include ~~an X-ray examination of the lungs and such a standard intradermal tuberculin test, a chest X-ray when the test is positive, and any~~ additional special diagnostic tests for the detection of the presence of tuberculosis as shall be

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set up in regulations of the state commissioner of health in cooperation with the department of corrections. ~~Such~~ The examination shall be made by a licensed physician and surgeon, who shall report in writing to the superintendent of the institution in which the employment is contemplated on a form set up by the department of corrections in cooperation with the state commissioner of health showing the presence or absence of tuberculosis infection and disease based upon ~~such~~ the examination.

Sec. 16. Minnesota Statutes 1978, Section 246.014, is amended to read:

246.014 **SERVICES.** The measure of services established and prescribed by section 246.012, are:

(1) There shall be served in state hospitals a single standard of food for patients and employees alike, which is nutritious and palatable together with special diets as prescribed by the medical staff thereof. There shall be a chief dietitian in the department of public welfare and at least one dietitian at each state hospital. There shall be adequate staff and equipment for processing, preparation, distribution and serving of food.

(2) There shall be a staff of persons, professional and lay, sufficient in number, trained in the diagnosis, care and treatment of the mentally ill, physical illness, and including religious and spiritual counsel through qualified chaplains (who shall be in the unclassified service) adequate to take advantage of and put into practice modern methods of psychiatry, medicine and related field.

(3) There shall be a staff and facilities to provide occupational and recreational therapy, entertainment and other creative activities as are consistent with modern methods of treatment and well being.

(4) There shall be in each state hospital for the care and treatment of the mentally ill facilities for the segregation and treatment of patients who have communicable disease.

(5) The commissioner of public welfare shall provide modern and adequate psychiatric social case work service.

(6) The commissioner of public welfare shall make every effort to improve the accommodations for patients so that the same shall be comfortable and attractive with adequate furnishings, clothing, and supplies.

(7) The commissioner of public welfare shall establish training programs for the training of personnel and may require the participation of personnel in such programs. Within the limits of the appropriations available, he may establish professional training programs in the forms of educational stipends for positions for which there is a scarcity of applicants.

(8) ~~There shall be a separate hospital for the diagnosis, care and treatment of the mentally ill who have tuberculosis which shall conform to the standards established for the diagnosis, care and treatment of physical disease. Pending construction of such separate hospital, one of the present state hospitals, or so much thereof as may be necessary, shall be set apart for the diagnosis, care and~~

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treatment of the mentally ill who have tuberculosis and shall be staffed and equipped to meet the accepted requirements of modern medicine for the care and treatment of persons afflicted with tuberculosis.

(9) (8) The standards herein established shall be adapted and applied to the diagnosis, care and treatment of inebriate persons and mentally deficient persons who come within those terms as defined in the laws relating to the hospitalization and commitment of such persons, and of persons who are psychopathic personalities within the definition thereof in Minnesota Statutes 1945, Section 526.09.

(10) (9) The commissioner of public welfare shall establish a program of detection, diagnosis and treatment of mentally or nervously ill persons and persons described in paragraph (9) (8), and within the limits of appropriations may establish clinics and staff the same with persons specially trained in psychiatry and related fields.

(11) (10) The commissioner of personnel and the personnel board may reclassify employees of the mental institutions from time to time, and assign classifications to such salary brackets as will adequately compensate personnel and reasonably assure a continuity of adequate staff.

(12) (11) In addition to the chaplaincy services, provided in (2), the commissioner of public welfare shall open said institutions to ministers of the Gospel to the end that religious and spiritual counsel and services are made available to the patients therein, and shall cooperate with all ministers of the Gospel in making said patients available for religious and spiritual counsel, and shall provide such ministers of the Gospel with meals and accommodations.

(13) (12) within the limits of the appropriations therefor, the commissioner of public welfare shall establish and provide facilities and equipment for research and study in the field of modern hospital management, the causes of mental and related illness and the treatment, diagnosis and care of the mentally ill and funds provided therefor may be used to make available services, abilities and advice of leaders in these and related field, and may provide them with meals and accommodations and compensate them for traveling expenses and services.

Sec. 17. Minnesota Statutes 1978, Section 246.28, is amended to read:

246.28 **DIAGNOSTIC TESTS AND X-RAY EXAMINATIONS; REPORT.** ~~Such~~ The physical examination shall include ~~an X-ray examination of the lungs a standard intradermal tuberculin test, a chest X-ray when the test is positive and~~ such additional special diagnostic tests for the detection of the presence of tuberculosis as shall be set up in regulations of the state commissioner of health in cooperation with the commissioner of public welfare. ~~Such~~ The examination shall be made by a licensed physician and surgeon, who shall report in writing to the superintendent of the institution in which the employment is contemplated on a form set up by the department of public welfare in cooperation with the state commissioner of health showing the presence or absence of tuberculosis infection and disease based upon ~~such~~ the examination.

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Sec. 18. Minnesota Statutes 1978, Section 251.043, Subdivision 1, is amended to read:

251.043 FINDINGS, PAYMENT OF MEDICAL CARE AND COMPENSATION. Subdivision 1. If upon the evidence mentioned in the preceding section, the workers' compensation division finds that ~~such an~~ an employee is suffering from tuberculosis contracted in the institution or department by contact with inmates or patients therein or by contact with tuberculosis contaminated material therein, it shall order the ~~superintendent of such institution or head of such department~~ to apply for the admission of the employee to the Minnesota state sanatorium or any county tuberculosis sanatorium ~~seek the services of a physician or medical care facility~~. There shall be paid to the ~~institution~~ physician or facility where ~~such the~~ employee may be received, the same fee for the maintenance and care of ~~such the~~ the person as is received by ~~such the~~ the institution for the maintenance and care of a non-resident patient. If the employee worked in a state ~~tuberculosis sanatorium or in a county tuberculosis sanatorium~~ hospital or nursing home, payment for ~~such the~~ care shall be made by the ~~department of social security out of funds heretofore or hereafter appropriated for aid to or maintenance of county tuberculosis sanatoria~~ commissioner of public welfare. If employed in any other institution or department ~~such the~~ payment shall be made from funds allocated or appropriated for the operation of ~~such the~~ institution or department, ~~or in such other manner as the appropriate county board or city or other governing body may determine~~. Such employee shall receive full hospital care and medical care, without cost, for the duration of his illness, or any recurrence thereof or any disability resulting therefrom. The workers' compensation division shall order payment to such employee of two-thirds of his salary during the period of disability and until the employee is able to resume his previous position or until the medical board of the institution where the employee is or has been hospitalized shall certify that such employee is able to pursue, without injury, some other normal work or occupation. If such employee dies leaving dependents, as defined by the workers' compensation law of the state, there shall be paid to such dependents the sum of \$7,500, if tuberculosis was the authentic cause of death. Such Compensation for death shall be paid to such dependents in installments of two-thirds of the employee's wage at intervals when the wage was payable, as nearly as may be. The commissioner of the department of labor and industry shall certify and supervise the payment of such compensation. If the employee dies from the effects of the disease of tuberculosis and if the tuberculosis was the primary infection and the authentic cause of death, the workers' compensation division shall order payment to dependents as provided for under the general provisions of the workers' compensation law.

Sec. 19. Minnesota Statutes 1978, Section 251.053, is amended to read:

251.053 OFFICERS ADMITTED TO HOSPITAL; PAYMENTS. If upon the evidence mentioned in section 251.052, the workers' compensation division finds that ~~such a~~ a police officer is suffering from tuberculosis contracted by contact with persons suffering from tuberculosis while ~~said the~~ police officer was working within the scope of his ~~the~~ officer's employment, it shall order the head of the police department in which said police officer is engaged, to apply for the admis-

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sion of the said require the police officer to the Minnesota state sanatorium or some county tuberculosis sanatorium seek the services of a physician or a medical care facility. There shall be paid to the institution physician or facility where such the employee may be received the same fee for the maintenance and care of such persons the employee as is received by such institution the facility for the maintenance and care of a nonresident patient, and such the fees shall be paid by the state, county or city in whose employment the said police officer was hired and working at the time said the police officer contracted the tuberculosis. Such The police officer shall receive full hospital care and medical care without cost for the duration of the infection of tuberculosis or any recurrence thereof or any disability resulting therefrom. Further, the workers' compensation division shall order payment to such the police officer by the state, county or city concerned, of the compensation provided for under the general provisions of the workers' compensation law, including benefits to dependents as defined by the workers' compensation law, if said the police officer dies from the effects of the disease of tuberculosis and if the tuberculosis was the primary infection and the authentic cause of death.

Sec. 20. Minnesota Statutes 1978, Section 251.15, Subdivision 1, is amended to read:

251.15 HOSPITAL EMPLOYEE CONTRACTING TUBERCULOSIS. Subdivision 1. **STUDENT NURSE, MEDICAL STUDENT, OR PHYSICIAN IN TRAINING CONTRACTING TUBERCULOSIS TO HAVE CARE AT EXPENSE OF COUNTY.** Any student nurse, medical student, or medical interne physician in training, who contracts tuberculosis as a result of direct contact with tuberculosis patients during the course of his or her training, or internship in a public tax supported hospital in this state, may be given care and treatment in a public tax supported tuberculosis sanatorium hospital operated and controlled by the sanatorium commission of the district county in which such the public tax supported hospital is located, and at the expense of the county in which such the public hospital is located.

Sec. 21. Minnesota Statutes 1978, Section 256.01, Subdivision 2, is amended to read:

Subd. 2. **SPECIFIC POWERS.** Subject to the provisions of section 241.021, subdivision 2, the commissioner of public welfare shall:

(1) Administer and supervise all forms of public assistance provided for by state law and other welfare activities or services as may from time to time be vested in the commissioner.

(2) Administer and supervise all child welfare activities: promote the enforcement of laws protecting defective, illegitimate, dependent, neglected and delinquent children; license and supervise child-caring and child-placing agencies and institutions; supervise the care of children in boarding and foster homes or in private institutions; and generally perform all functions relating to the field of child welfare now vested in the state board of control.

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(3) Administer and supervise all non-institutional service to handicapped persons, including the blind, the deaf, the tuberculous, the crippled, and otherwise handicapped persons. The authority and power conferred by this subdivision shall include the authority and power to provide and contract for the care and treatment of qualified indigent children in facilities other than those located and available at state hospitals when it is not feasible to provide the service in state hospitals.

(4) Assist and actively cooperate with other departments, agencies and institutions, local, state, and federal, by performing services in conformity with the purposes of Laws 1939, Chapter 431.

(5) Act as the agent of and cooperate with the federal government in matters of mutual concern relative to and in conformity with the provisions of Laws 1939, Chapter 431, including the administration of any federal funds granted to the state to aid in the performance of any functions of the commissioner as specified in Laws 1939, Chapter 431, and including the promulgation of rules making uniformly available medical care benefits to all recipients of public assistance, at such times as the federal government increases its participation in assistance expenditures for medical care to recipients of public assistance, the cost thereof to be borne in the same proportion as are grants of aid to said recipients.

(6) Establish and maintain any administrative units reasonably necessary for the performance of administrative functions common to all divisions of the department.

(7) Administer and supervise any additional welfare activities and services as may, from time to time, hereafter be vested by law in the state department.

(8) The commissioner is hereby specifically constituted as guardian of both the estate and the person of all the wards of the state of Minnesota and other persons the guardianship of whom has been heretofore vested in the state board of control, whether by operation of law or by an order of court, without any further act or proceeding whatever, except as to persons committed as feeble-minded mentally retarded or epileptic. All of said guardianships, and the funds and property of the same, are hereby transferred to and vested in said commissioner, and said commissioner is hereby constituted a legal entity and is hereby empowered to act as guardian under any laws of this state heretofore conferring such powers upon the state board of control.

~~(9) All the powers and duties vested in or imposed upon the director of public institutions with reference to the Minnesota state sanatorium are hereby transferred to, vested in, and imposed upon the commissioner of public welfare. The commissioner of public welfare shall appoint the superintendent of the Minnesota state sanatorium, but shall not have the power to fix his salary.~~

~~(10) (9)~~ Act as coordinating referral and informational center on requests for service for newly arrived immigrants coming to Minnesota.

~~(10)~~ (10) The specific enumeration of powers and duties as hereinabove set forth shall in no way be construed to be a limitation upon the general transfer of powers herein contained.

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(12) (11) Establish county, regional, or state-wide schedules of maximum fees and charges which may be paid by local agencies for medical, dental, surgical, hospital, nursing and nursing home care and medicine and medical supplies under all programs of medical care provided by the state and for congregational living care under the income maintenance programs.

(13) (12) Have the authority to conduct and administer experimental projects to test methods and procedures of administering assistance and services to recipients or potential recipients of public welfare. To carry out such experimental projects, it is further provided that the commissioner of public welfare is authorized to waive the enforcement of existing specific statutory program requirements, regulations, and standards in one or more counties. The order establishing the waiver shall provide alternative methods and procedures of administration, shall not be in conflict with the basic purposes, coverage, or benefits provided by law, and in no event shall the duration of a project exceed two years. It is further provided that no order establishing an experimental project as authorized by the provisions of this section shall become effective until the following conditions have been met:

(a) The proposed comprehensive plan including estimated project costs and the proposed order establishing the waiver shall be filed with the Secretary of the Senate and Chief Clerk of the House of Representatives at least 60 days prior to its effective date.

(b) The secretary of health, education, and welfare of the United States has agreed, for the same project, to waive state plan requirements relative to state-wide uniformity.

(c) A comprehensive plan, including estimated project costs, shall be approved by the legislative advisory commission and filed with the commissioner of administration.

(14) (13) In accordance with federal requirements establish procedures to be followed by local welfare boards in creating citizen advisory committees, including procedures for selection of committee members.

(15) (14) Promulgate, by rule, standards of administration to be applied by local welfare boards administering state and county financed programs of medical assistance pursuant performance shall be deducted from administrative reimbursement otherwise due the county.

(16) Develop a plan and report to the legislature during its 1976 session on methods by which the payment and administration of all income maintenance programs could be assumed by the state department of public welfare. *

Sec. 22. Minnesota Statutes 1978, Section 144.42; 144.421; 144.424, Subdivision 10; 144.427; 144.428; 144.429; 144.43; 144.46; 144.47; 144.50, Subdivision 4; 145.13; 145.24, Subdivision 4; 246.014, Subdivision 8; 251.01; 251.011, Subdivisions 2 and 5; 251.02; 251.03; 251.08; 251.09; 251.10; 251.11; 251.12; 251.13; 251.14; 251.16; 376.18; 376.19; 376.20; 376.21; 376.22; 376.231; 376.24; 376.25; 376.26; 376.28; 376.29; 376.30; 376.31; 376.32; 376.33; 376.34; 376.35;

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

376.37; 376.38; 376.39; 376.40; 376.41; 376.42; 376.423; 376.424; 376.44; 376.49; 376.50; 376.52; 376.523; and 376.54 are repealed.

Approved March 18, 1980

* Section 21 is amended in Laws 1980, Chapter 618, Section 8.

CHAPTER 358—S.F.No. 1114

An act relating to the town of White Bear in Ramsey County; permitting exercise of powers relating to sewers, drains and waterworks.

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

Section 1. The town of White Bear in Ramsey County may exercise the powers of a city and a municipality under Minnesota Statutes, Chapter 444. The town board of supervisors is the governing body for the purposes of chapter 444.

Sec. 2. This act is effective upon approval at the annual town meeting or at a special town meeting called for that purpose, and upon compliance with Minnesota Statutes, Section 645.021. *

Approved March 18, 1980

* See the amendment to section 2 in Laws 1980, Chapter 618, Section 6.

CHAPTER 359—S.F.No. 1438

An act relating to towns; providing for the date and notice of town meetings; amending Minnesota Statutes 1978, Section 365.51.

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

Section 1. Minnesota Statutes 1978, Section 365.51, is amended to read:

365.51 ANNUAL TOWN MEETING; PRECINCTS; POLLING PLACES.

There shall be an annual town meeting held in each town on the second Tuesday of March at the place of ~~holding the last town meeting, or at such other place in the town, or county or in an adjoining town or city in an adjoining county,~~ designated by the annual town meeting, and if no designation is so made ~~the same shall then be made at the place designated by the town board. In the event of inclement weather the meeting shall be held on another March day designated by the board.~~ The clerk shall give ten days' published notice specifying time and place in a qualified newspaper having general circulation within the town, or by posted notice, ~~or both,~~ as the town board shall direct unless the voters at the annual town meeting ~~may direct - specifying the time and place, but if the town~~

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