

CHAPTER 390

CORONER; MORGUE; INVESTIGATION OF DEATH

390.005 Election or appointment, qualifications; vested rights; vacancies.

390.15 Witnesses; fees.

390.20 Person charged arrested.

390.31 Simplified investigations of death.

390.33 Appointment of medical examiner; manner of conducting proceedings.

390.35 Election to follow simplified investigation.

390.005 ELECTION OR APPOINTMENT, QUALIFICATIONS; VESTED RIGHTS; VACANCIES.

[For text of subs 1 and 2, see M.S.1982]

Subd. 2a. **Vacancy; coroner's office.** Notwithstanding subdivision 2, when there is a vacancy in the office of coroner in any county in which the office has not been abolished, the board of county commissioners may by resolution declare its intention to fill the office by appointment. Upon adoption of the resolution, the board shall fill the office by appointment immediately. The coroner shall serve for a term as determined by the board but not to exceed four years.

[For text of subs 3 to 5, see M.S.1982]

History: 1983 c 114 s 1

390.15 WITNESSES; FEES.

The coroner may issue subpoenas for witnesses, returnable immediately or at a specified time and place. The persons served with the subpoenas shall be allowed the fees, their attendance shall be enforced in the manner by the coroner, and they shall be subject to the penalties as provided by statute or the rules of criminal procedure.

History: 1983 c 359 s 56

390.20 PERSON CHARGED ARRESTED.

If any person charged by the inquest with having committed the offense is not in custody, the coroner shall have the same power as a county or municipal judge to issue process for his apprehension. The warrant shall be made returnable before any court having jurisdiction in the case and the court shall proceed in the same manner as in similar cases.

History: 1983 c 359 s 57

390.31 SIMPLIFIED INVESTIGATIONS OF DEATH.

[For text of subd 1, see M.S.1982]

Subd. 2. **Jury fees.** Each juror sworn in any action pending before any sheriff on a writ of inquiry, shall receive \$3, to be paid, in the first instance in all civil actions, by the party calling for the jurors.

[For text of subd 3, see M.S.1982]

History: 1983 c 359 s 58

390.33 APPOINTMENT OF MEDICAL EXAMINER; MANNER OF CONDUCTING PROCEEDINGS.

[For text of subd 1, see M.S.1982]

Subd. 2. **Subpoena power.** The probate judge may issue subpoenas for witnesses, returnable forthwith or at a time and place as the judge directs. The persons served with subpoenas shall be allowed the same fees, their attendance shall be enforced in the same manner by the sheriff, and they shall be subject to the same penalties as if they had been served with a subpoena in behalf of the state in a criminal case before a county or municipal judge.

[For text of subds 3 to 5, see M.S.1982]

Subd. 6. **Warrants.** If any person charged by the inquest with having committed the offense is not in custody, the judge has the power to issue process for his apprehension. The warrant shall be made returnable before any court having jurisdiction in the case. The court shall proceed in the same manner as in similar cases.

[For text of subds 8 and 9, see M.S.1982]

History: 1983 c 359 s 59,60

390.35 ELECTION TO FOLLOW SIMPLIFIED INVESTIGATION.

Sections 390.31 to 390.35 apply only to those counties in which the county board elects to be bound by its provisions in lieu of any other law relating to coroners. In any county in which sections 390.31 to 390.35 apply, the county board may by resolution resume death investigations under sections 390.005 to 390.26. The board shall then fill the office of coroner as provided by section 390.005.

History: 1983 c 114 s 2