

charge shall be fixed by the commission and retained by the reporter, any other law to the contrary notwithstanding.

Approved June 1, 1971.

CHAPTER 647—H.F.No.1770

[Coded]

An act relating to cruelty to animals; providing procedures for investigation of overwork, mistreatment and cruelty to animals; providing penalties; amending Minnesota Statutes 1969, Chapter 346, by adding sections.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Chapter 346, is amended by adding a section to read:

[346.215] CRUELTY TO ANIMALS; INVESTIGATION OF CRUELTY COMPLAINTS. Any person who has reason to believe that a violation of section 346.21 has taken place or is taking place may apply to any court having jurisdiction over actions alleging violation of such section for a warrant and for investigation. The court shall examine under oath the person so applying and any witnesses he may produce and must take his affidavit or their affidavits in writing, and cause same to be subscribed by the party or parties making same. The affidavit or affidavits must set forth the facts tending to establish the grounds for believing a violation of section 346.21 has occurred or is occurring, or probable cause to believe that they exist. If the court is thereupon satisfied of the existence of the grounds of the application, or that there is probable cause to believe their existence, it shall issue a search warrant and order for investigation, signed by the judge of such court with his name of office, to a peace officer in such county, commanding him to forthwith proceed to the location of the alleged violation taking with him a doctor of veterinary medicine and commanding such peace officer to search the place designated in such warrant and together with such veterinary doctor conduct an investigation of the facts surrounding the alleged violation, retaining in his custody subject to the order of the court such property or things which are specified in such warrant, including any animal if such warrant so specifies. The warrant shall contain the names of the persons presenting affidavits in support of the application, and the grounds for its issuance. Service shall be made in accordance with the provisions of Minnesota

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Statutes, Sections 626.13, 626.14, and 626.16. The warrant must be executed and returned to the court which issued such warrant within ten days after its date; after the expiration of such time the warrant, unless executed, is void. The officer executing such warrant must forthwith return the warrant to the court, and deliver to it a written inventory of the property or things taken, verified by the certificate of the officer at the foot of the inventory. The warrant and order for investigation issued pursuant to this act shall have the same force and effect as a warrant issued pursuant to Minnesota Statutes, Chapter 626.

Sec. 2. Minnesota Statutes 1969, Chapter 346, is amended by adding a section to read:

[346.216] EXPENSES OF INVESTIGATION. The expenses of the investigation authorized by section 1 of this act including the fee of the doctor of veterinary medicine, the expenses of keeping or disposing of any animal taken into custody pursuant to such investigation and all other expenses reasonably incident to such investigation shall be assessed against the person alleged to have violated section 346.21, if the person is found guilty of such violation. If the person is found innocent of such violation, the expenses shall be paid by the county treasurer from the general fund of the county.

Approved June 1, 1971.

CHAPTER 648—H.F.No.1798

An act relating to welfare; providing for payment of the costs of boarding care outside state institutions for children who are emotionally handicapped; amending Minnesota Statutes 1969, Section 252.27, Subdivisions 1 and 2.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Section 252.27, Subdivision 1, is amended to read:

252.27 PUBLIC WELFARE; EMOTIONALLY HANDICAPPED CHILDREN; BOARDING CARE; COSTS. Subdivision 1. Whenever any child who is mentally retarded or epileptic, or emotionally handicapped is cared for outside the home and outside the several state institutions for the care of the mentally retarded and epileptic, in a facility approved by the commissioner of public

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