

a white light to the rear of any such vehicle while traveling on any street or highway.

Sec. 2. Effective date. This act is in force and effect after May 30, 1949.

Approved April 22, 1949.

CHAPTER 575—S. F. No. 729

[Coded as Section 260.125]

An act relating to the youth conservation commission and amending Laws 1947, Chapter 595, Section 1, Subdivisions 3, 4, 7, 9, 10, 19, 21, 26, 36, and 37, and adding new subdivisions thereto.

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

Section 1. Laws 1947, Chapter 595, Section 1, is amended by amending Subdivisions 3, 4, 7, 9, 10, 19, 21, 36, and 37, and adding new subdivisions thereto, all to read as follows:

[260.125] **Youth Conservation Act. Subd. 3. Personnel of Commission.** The Commission shall consist of *six* persons including the director of the division of public institutions, the chairman of the state board of parole, and *four* others, *at least one of whom shall be a woman*, appointed by the Governor, with the consent of the Senate. *Three members shall constitute a quorum. The Governor shall designate one of the appointed members as the chairman who shall be the full time director of the Commission. The Director shall be responsible for the administration and enforcement of this Act under the direction of the Commission. The director of the division of public institutions and the chairman of the state board of parole shall serve without additional compensation. All other members shall serve on a per diem basis.*

Subd. 4. Term of office. The term of office of the appointed members of the Commission shall be for *six* years except that *the members serving under their initial appointment shall serve for the remainder of the terms for which they were respectively appointed. The woman initially appointed*

shall serve for a term expiring July 1, 1952. All appointments made thereafter, except to fill a vacancy, shall be for full term. A member is eligible for reappointment. A member shall hold office until the appointment and qualification of his successor.

Subd. 7. Salaries, expenses. The salary of the director of the Commission shall be the sum of \$7,200 per annum, payable as hereinafter provided. Each of the other appointed members of the Commission shall receive as compensation the sum of \$25 per day for each day actually spent in the discharge of official duties. In addition to the compensation so provided, each of the members of the Commission shall be reimbursed for all expenses paid or incurred by him in the performance of his official duties.

Subd. 9. Cooperation with other agencies. The Director of the Division of Social Welfare of the State Department of Social Security, the Commissioner of Education, and the State Board of Health through its executive officer shall advise, cooperate with and assist the Commission in carrying out the duties and responsibilities assigned to it by this Act and for these purposes they may attend meetings. Their facilities and services and those of other state agencies, particularly of the division of public institutions and of the state board of parole, shall be made available to the Commission upon such terms and as the Governor may direct.

Subd. 10. Power to grant probation or to commit to institution. (1) Every order granting or revoking probation, committing to an institution, granting or revoking parole, or issuing final discharge to any person under the control of the Commission shall be made by the Commission, and the Commission may not delegate the making of such decisions to any other body or person.

(2) All other powers conferred on the Commission may be exercised by the Director or through his subordinates under rules established by the Commission. Any person subjected to an order of the director or such subordinates may petition the Commission for review.

Subd. 19. Placed on probation; order confinement; commit to state training school; order release on parole; recommitment; revoke or modify order; discharge from control.

When a person has been committed to the Commission it may (a) place him on probation under such supervision and conditions as it believes conducive to law-abiding conduct; (b) if he has been committed to the Commission upon conviction of a felony or gross misdemeanor, order his confinement to such reformatory, state prison, jail, or other place of confinement to which he might have been sentenced by the court in which he was convicted except for this Act. Such reformatories, state prisons, jails or other places of confinement are hereby required to accept such persons in like manner as though they had been committed by such court; (c) if he has been committed to the Commission by a juvenile court upon a finding of his delinquency, order his commitment to the State Training School for Boys or the Minnesota Home School for Girls and such schools shall accept such persons so committed to them *or to private schools or institutions established by law or incorporated under the laws of this state that may care for delinquent children*; (d) order his release on parole from confinement under such supervision and conditions as it believes conducive to law-abiding conduct; (e) order reconfinement or renewed parole as often as the Commission believes *to be desirable*; (f) revoke or modify any order, except an order of discharge, as often as the Commission believes to be desirable; (g) discharge him from its control when it is satisfied that such discharge is consistent with the protection of the public.

Subd. 21. Cooperation with state institutions and local police officers. The commission may enter into agreement with the Division of Public Institutions, the State Board of Parole, with local probation officers or other public officials and with private agencies, *schools or institutions*, for *custody*, separate care or special treatment of persons subject to the control of the commission.

Subd. 26. Cessation of jurisdiction. The control over a person committed to it in a criminal proceeding shall cease at the expiration of the term of his sentence for the crime for which convicted and he shall thereupon be entitled to a *discharge in any event whether on probation, parole, confinement or other order of the Commission*. *The care, custody and control of any delinquent child who has been committed to the Commission by a juvenile court shall cease on the twenty-first birthday of such child.*

Subd. 36. **Appropriation.** There is hereby appropriated the sum of \$50,000 for the year ending June 30, 1948, and \$75,000 for the year ending June 30, 1949.

Subd. 37. **Implied repeal.** All laws are hereby repealed *insofar as inconsistent with this act.*

Subd. 38. **Review of order of commitment.** (1) *Within 30 days from the date of notice in writing of any order made pursuant to Subdivision 10 (1) or 19, or of any order terminating its control made pursuant to Subdivision 27 after an examination as therein provided, any person who has been committed to the Commission after conviction of a felony or gross misdemeanor, may request the Commission in writing to conduct a hearing of record for the review of any such order.*

(2) *If the Commission grants the request, it shall hold a full hearing of record, allowing the person opportunity to appear with counsel, and thereafter the Commission shall issue a final order affirming, modifying, or rescinding its prior order.*

(3) *Upon application to the committing district court made by the person affected by the final order within 30 days from the date of written notice thereof, the committing district court only may review such final order. Such review shall be in like manner as though reviewed by certiorari, except that the trial shall be de novo upon the return of the commission and such other evidence as may be received by the court. Nothing herein shall prohibit the Commission from making such investigation and orders to carry out the purposes of this Act.*

(4) *The final order shall remain in full force and effect until reversed by the committing district court, and if appeal is taken to the supreme court, until that court makes its final order.*

Subd. 39. **Conservation camps.** (1) *The Commission may establish and operate conservation camps in which persons committed to the Commission may be placed. Such camps may be established independently or in cooperation with any other public agency or any governmental subdivision, subject to the approval of such agency or subdivision as to any camp or project to the extent that its premises or operations are affected.*

(2) *Every able-bodied person committed to the Commission and confined to a conservation camp established pursuant to Subdivision 43 or to any other place or institution under the control of the Commission may be required by order of the Commission to labor during the whole or some part of the time for which he is so committed and confined, but not more than eight hours per day. The Commission is authorized and empowered to provide for the payment of such compensation as it may determine to persons so confined who perform labor as hereinabove provided. Any money arising hereunder shall be and remain under control of the Commission and shall be for the sole benefit of the person performing the labor unless it shall be used for rendering assistance to his family or dependents or in making restitution to persons determined by the Commission to be entitled thereto, in either event payments shall be made only in such amount, at such time and to such persons as the Commission may order in writing.*

Approved April 22, 1949.

CHAPTER 576—S. F. No. 783

[Not Coded]

An act relating to phonographic reporters; amending Laws 1947, Chapter 474.

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

Section 1. Laws 1947, Chapter 474, is amended to read:

Section 1. **Hennepin county; phonographic reporters.** Each judge of any judicial district in this state which comprises, or which may hereafter comprise, a single county of 450,000 inhabitants or over; may appoint a phonographic reporter, who shall be well skilled in his profession and competent to discharge the duties required, and who shall be a sworn officer of said court, and shall hold his office during the pleasure of said judge so appointing him. The salary of said reporter shall be \$5,200 per annum, payable in semi-monthly installments by the county treasurer of the county comprised in such judicial district, from any funds in his hands not otherwise appropriated.

Approved April 22, 1949.