

or to imprisonment in the county jail for not less than six months nor more than one year, or both.

Sec. 6. . . [32.532] **Enforcement.** *The commissioner is authorized and directed to administer and supervise the enforcement of this act; to provide for such periodic inspections and investigations as he may deem necessary to disclose violations; to receive and provide for the investigation of complaints; and to provide for the institution and prosecution of civil or criminal actions or both. The provisions of this act may be enforced by injunction in any court having jurisdiction to grant injunctive relief, and filled dairy products illegally held or otherwise involved in a violation of this act shall be subject to seizure and disposition in accordance with an appropriate court order or any applicable regulation adopted by the commissioner.*

Sec. 7. **Severable. Separability Section.** *If any provision of this act, or any part or section thereof, is declared unconstitutional, or the applicability thereof to any person, circumstance, or product is held invalid, the validity of the remainder of this act and the applicability thereof to other persons, circumstances; or products shall not be affected thereby.*

Sec. 8. [32.533] **Supplemental.** *This act is supplemental to all other laws relating to filled dairy products not expressly referred to herein, and to all laws relating to the manufacture, sale, exchange or transportation of filled dairy products, or the manufacture or possession thereof, with the intent to sell, exchange or transport the same, either within or without the State of Minnesota, and shall not be construed to modify, repeal or in any wise affect any part or provisions of any such laws not expressly repealed herein.*

Approved March 26, 1953.

CHAPTER 158—S. F. No. 58

An act providing compensation for attorneys appointed in hearings for the commitment of dependent, neglected or delinquent children; amending Minnesota Statutes 1949, Section 260.08, as amended.

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

Section 1. Minnesota Statutes 1949, Section 260.08, as amended by Laws 1951, Chapter 224, Section 1, is amended to read:

260.08 **Custody, proceedings.** Upon the presentation of

the petition if it appears that a child may be dependent, neglected, or delinquent and that it is for the best interests of the child that the matter be heard in said county, the petition shall be filed and a date set for hearing thereon. A summons may be issued by the judge or clerk of the court requiring the person having custody or control of the child, or with whom the child may be, to appear with the child at a place and time stated in the summons, which time shall be not less than 24 hours after service. Such place may be in the county-seat of the county, or in any other city or village in the county, at the discretion of the court. It shall be sufficient to confer jurisdiction if service is made at any time before the day fixed in the summons for the return thereof; but in such case the court if so requested shall not proceed with the hearing earlier than the second day after the service. The summons shall be served as provided by law for the service of summons in civil actions, and may be served by a probation officer. The parents of the child, if living, and their residence is known, or its legal guardian, if one there be, or if there be neither parent nor guardian, or if his residence is not known, then some relative, if there be one and his residence is known; shall be notified of the proceedings, and in all cases of dependency or neglect the notification shall also include a statement that in the event the court makes a final order of commitment the child shall be subject to adoption and, in case of proceedings to adopt the child, no notice be given the parents. In any case the judge may appoint some suitable person to act in behalf of the child. Except in counties containing a city of the first class if the petition presented is made by a person other than a representative of the division of social welfare or county welfare board, notice as provided by the court shall be given to the county welfare board. Where the person to be notified, other than a member of the county welfare board or its staff, resides within the county, service of notice shall be the same as service of the summons, but in any other case service of notice shall be made in such manner as the court may direct. If the person summoned as herein provided shall fail without reasonable cause to appear and abide the order of the court or bring the child, he may be proceeded against as in case of contempt of court. In case the summons cannot be served or the party served fails to obey the same, and in any case when it shall be made to appear to the court that such summons will be ineffectual, or that the welfare of the child requires that he shall be brought forthwith into the custody of the court, a warrant may be issued by the court, either against the parent or guardian or the person having custody of the child or with whom the child may be, or against the child himself. On the date set for the hearing and on the return of the summons if

any has been issued or other process, or on the appearance of the child with or without summons or other process in person before the court, and on the return of the service of notice, if there be any person to be notified, or a personal appearance or written consent to the proceedings of the person or persons, if any to be notified, or as soon thereafter as may be, the court shall proceed to hear the case, and may proceed in a summary manner.

In all such proceedings in counties having less than 150,000 population the county attorney shall appear for the petitioner. The child shall have the right to appear and be represented by counsel and, if unable to provide counsel, the court may appoint counsel for him. The counsel shall receive from the general revenue fund of the county reasonable compensation for each day actually employed, in court or actually consumed in preparing for the hearing as is allowed by the court.

In all such proceedings the county welfare board shall upon the request of the judge of the juvenile court or the county attorney, cause an investigation to be made relative to the child and the child's family. In all such proceedings, such child may be released into the custody of the parent, guardian, or custodian.

Approved March 26, 1953.

CHAPTER 159—S. F. No. 239

An act relating to the reimbursement of public officers and employees for the use of privately owned automobiles in the performance of their duties, amending Minnesota Statutes 1949, Section 350.11, as amended by Laws 1951, Chapter 641, Section 1.

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

Section 1. Minnesota Statutes 1949, Section 350.11, as amended by Laws 1951, Chapter 641, Section 1, is amended to read:

350.11 Mileage, allowance; exception. The maximum amount which shall be paid by the state, any department or bureau thereof, or any county, city, village, town, or school district, to any officer or employee, except sheriffs or deputy sheriffs, as compensation or reimbursement for the use by such officer of his own automobile in the performance of his duties shall not exceed seven and one-half cents per mile, provided