

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 dates 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 services upon the order of 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 31, 1953.

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#### CHAPTER 220—H. F. No. 1145

*An act relating to payment of old age assistance grants; amending Minnesota Statutes 1949, Section 256.34.*

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

Section 1. Minnesota Statutes 1949, Section 256.34, is hereby amended to read:

**256.34 County budget, levy; warrants; claims for reimbursement, payment.** The providing of funds necessary to carry out the provisions of sections 256.11 to 256.43 on the part of the counties and the manner of administering and disbursing funds of the counties and the state shall be as follows:

(1) The board of county commissioners of each county shall annually set up in its budget an item designated as the county old age assistance fund and levy taxes and fix a tax rate for old age assistance sufficient to produce the full amount of

such item, in addition to all other tax levies and tax rates, however fixed or determined, sufficient to carry out the provisions of sections 256.11 to 256.43 and to pay in full the county share of old age assistance and administrative expenses for the ensuing year; and annually on or before October 10th certify the same to the county auditor to be extended by him on the tax rolls. Such tax levy and tax rate shall make proper allowance and provision for shortage in tax collections.

(2) Any county may transfer surplus funds from any county fund, except the sinking or ditch fund, to the general fund or to the county old age assistance fund in order to provide moneys necessary to pay old age assistance awarded under sections 256.11 to 256.43. The money so transferred shall be used for no other purpose, but any portion thereof no longer needed for such purpose, shall be transferred back to the fund from which taken.

(3) Upon the orders of the county agency the county auditor shall draw his warrant on the proper fund in accordance with the orders and the county treasurer shall pay out the amounts ordered to be paid out as old age assistance under the provisions of sections 256.11 to 256.43. When necessary by reason of failure to levy sufficient taxes for the payment of the old age assistance in the county, the county board shall nevertheless authorize payment of the old age assistance and the county auditor shall carry any such payments as an overdraft on the old age assistance fund of the county until sufficient tax funds shall be provided for the old age assistance payments. The board of county commissioners shall include in the tax levy and tax rate in the year following the year in which such overdraft occurred an amount sufficient to liquidate such overdraft in full.

(4) Claims for reimbursement shall be presented to the state agency by the respective counties in such manner as the state agency shall prescribe not later than ten days after the close of the month in which the expenditures were made. The state agency shall audit such claims and certify to the state auditor the amounts due the respective counties without delay. The amounts so certified shall be paid within ten days after such certification, from the state treasury upon warrant of the state auditor from any moneys available therefor. The moneys available to the state agency to carry out the provisions of sections 256.11 to 256.43, including all federal funds available to the state, shall be kept and deposited by the state treasurer in the revenue fund and disbursed upon warrants in the same manner as other state funds.

Approved March 31, 1953.