

## CHAPTER 698—S. F. No. 457

*An act relating to delinquent children; authorizing the employment of probation officers; defining the powers and duties of the youth conservation commission in relation thereto; appropriating money therefor; amending Minnesota Statutes 1957, Sections 242.14; 242.46; and 260.09.*

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

Section 1. Minnesota Statutes 1957, Section 242.14, is amended to read:

**242.14 Placement in penal institution prohibited.** The commission shall not have power by virtue of any commitment to it by a juvenile court, *as authorized by Minnesota Statutes, Section 260.13*, to place such child in any penal institution.

Sec. 2. Minnesota Statutes 1957, Section 242.46, is amended to read:

**242.46 Probation and parole services.** *Subdivision 1.* The youth conservation commission may appoint agents, who shall be in the classified service of the state civil service, and who shall perform such probation and parole services for persons committed to the commission and such other duties as the commission may require. In the performance of their duties they shall have the general powers of a peace officer.

*Subd. 2.* The youth conservation commission shall provide probation and parole services to all persons committed to it who are resident in any county of more than 100,000 population.

*Subd. 3.* The commission shall provide probation services to juvenile courts in counties that request it or as required by Minnesota Statutes, Section 260.09; it shall in cooperation with the judges concerned provide supervision to probation officers in all counties of not more than 100,000 population, in order to insure high uniform standards of operation; and it is authorized and empowered to employ the necessary probation and parole agents, supervisors, and clerical personnel. The commission shall give newly employed probation and parole agents appropriate orientation training and shall provide systematic inservice training to all such agents thereafter, and for that purpose may assign agents to appropriate short courses at the University of Minnesota.

Sec. 3. Minnesota Statutes 1957, Section 260.09, is amended to read:

**260.09 Probation officers. Subdivision 1. Appointment; joint services; state services.** *In all counties of more than 100,000 population, the court shall appoint one or more persons of good character to serve as probation officers during the pleasure of the court. All other counties shall provide probation services to juvenile courts in one of the following ways:*

(1) *The court, with the approval of the county board, may appoint one or more full time salaried probation officers to serve during the pleasure of the court;*

(2) *Two or more counties through their county boards may combine to enable their courts jointly to appoint a common full time salaried probation officer;*

(3) *A county may request the youth conservation commission to furnish probation services to its juvenile court in accordance with the provisions of this section, on or after July 1, 1959, and the youth conservation commission shall furnish such services to any county that fails to provide its own probation officer by one of the two procedures listed above on or at any time after July 1, 1960.*

**Subd. 2. Sufficiency of services.** *Probation services for juveniles shall be sufficient in amount to meet the needs of delinquent children and of the juvenile court in each county. Probation officers serving juvenile courts in all counties of not more than 100,000 population shall also, pursuant to subdivision 3 of this section, provide probation and parole services to wards of the youth conservation commission resident in their counties. To provide these probation services counties containing a city of 10,000 or more population shall, as far as practicable, have one probation officer for not more than 35,000 population; in counties that do not contain a city of such size, the youth conservation commission shall, after consultation with the juvenile judge and the county commissioners and in the light of experience, establish probation districts to be served by one officer.*

*All probation officers appointed by any county of not more than 100,000 population after July 1, 1959, shall be selected from the state civil service list of eligible candidates and the civil service department shall furnish the names of such candidates on request.*

**Subd. 3. Powers and duties.** *All probation officers serving juvenile courts shall act under the orders of the court in reference to any child committed to their care by the court, and in the performance of their duties shall have the general*

powers of a peace officer; and it shall be their duty to make such investigations with regard to any child as may be required by the court before, during, or after the trial or hearing, and to furnish to the court such information and assistance as may be required; to take charge of any child before, during, or after trial or hearing when so directed by the court, and to keep such records and to make such reports to the court as the court may order. Probation officers heretofore or hereafter appointed under the provisions of sections 636.01 to 636.06 shall be subject to the orders of the court in reference to all matters covered by the provisions of sections 260.01 to 260.34.

*All probation officers serving juvenile courts in counties of not more than 100,000 population shall, in addition, provide probation and parole services to wards of the youth conservation commission resident in the counties they serve, and shall act under the orders of said commission in reference to any ward committed to their care by the commission.*

*All probation officers serving juvenile courts in counties of not more than 100,000 population shall, under the direction of the court, cooperate with all law enforcement agencies, schools, child-serving agencies of a public or private character, and groups concerned about the welfare of children to prevent delinquency and to rehabilitate within the community children adjudged delinquent.*

*All probation officers serving juvenile courts shall make monthly and annual reports to the youth conservation commission, on forms furnished by it, containing such information on number of cases cited to the juvenile court, offenses, adjudications, dispositions, and related matters as may be required by the youth conservation commission.*

**Subd. 4. Compensation.** In counties of more than 100,000 population, a majority of the judges of the district court may direct the payment of such salary to probation officers as may be approved by the county board. In counties of not more than 100,000 population which employ probation officers, such officers shall receive such salary as may be fixed by the judge and approved by the county board, and in addition thereto shall be reimbursed for all necessary expenses incurred in the performance of their official duties. In all counties which obtain probation services from the youth conservation commission the state shall, out of appropriations provided therefor, pay probation officers and salary and all benefits fixed by the state civil service law and all necessary expenses, including secretarial service, office equipment and

supplies, postage, telephone and telegraph services, and travel and subsistence. Each county receiving probation services from the youth conservation commission shall reimburse the state for the total cost and expenses of such services as incurred by the youth conservation commission. Total annual costs for each county shall be that portion of the total costs and expenses for the services of one probation officer represented by the ratio with the county's population bears to the total population served by one officer. For the purposes of this section, the population of any county shall be the most recent estimate made by the department of health. At least every six months the youth conservation commission shall certify to the state treasurer the total cost and expenses incurred by the commission on behalf of each county to which it has provided probation services. The treasurer shall notify each county of the cost and expenses so certified and the county shall pay to the treasurer forthwith the amount certified. All such reimbursements shall be deposited in the general revenue fund. Objections by a county to all allocation of such cost and expenses shall be presented to and determined by the commissioner of administration. Each county obtaining probation services from the youth conservation commission under this section is hereby authorized to use unexpended funds and to levy additional taxes for this purpose.

The county commissioners of all counties of not more than 100,000 population shall provide probation officers with suitable offices needed to render the required services.

**Subd. 5. Reimbursement of counties.** In order to reimburse the counties for the cost which they assume under this act of providing probation and parole services to wards of the youth conservation commission, the state shall annually, from state funds appropriated for that purpose, pay to all counties of not more than 100,000 population ten cents for each resident of the county, as determined by the most recent population estimate made by the department of health.

**Subd. 6. Certificate of counties entitled to state aid.** On or before January 1 of each year, beginning in 1960, the director of the youth conservation commission shall deliver to the state auditor a certificate in duplicate for each county of the state entitled to receive state aid under the provisions of this section. Upon the receipt of such certificate, the state auditor shall draw his warrant upon the state treasurer in favor of the county treasurer for the amount shown by each certificate to be due to the county specified. The state auditor shall transmit such warrant to the county treasurer together

with a copy of the certificate prepared by the director of the youth conservation commission.

Sec. 4. *There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of \$200,000, or as much thereof as may be necessary for the fiscal year ending June 30, 1960, and \$205,000 for the fiscal year ending June 30, 1961, for the purpose of providing state aid to counties as authorized by section 1, subdivisions 5 and 6 of this act.*

Sec. 5. *There is hereby appropriated to the youth conservation commission out of any money in the state treasury not otherwise appropriated, the sum of \$90,000, or as much thereof as may be necessary for the fiscal year ending June 30, 1960, and \$178,012 for the fiscal year ending June 30, 1961, for the purpose of carrying out the provisions of this act.*

Sec. 6. *Except as otherwise provided herein, this act takes effect July 1, 1959.*

Approved April 24, 1959.

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#### CHAPTER 699—H. F. No. 1191

*An act relating to powers and duties of port authorities; amending Minnesota Statutes 1957, Sections 458.16, 458.17, and 458.19.*

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

Section 1. Minnesota Statutes 1957, Section 458.16, is amended to read:

458.16 **Powers and duties.** It shall be the general duty of any such port authority to promote the general welfare of the port district, and of the port as a whole; to endeavor to increase the volume of the commerce thereof; to promote the efficient, safe and economical handling of such commerce, and to provide or promote adequate docks, railroad and terminal facilities open to all upon reasonable and equal terms for the handling, storage, care and shipment of freight and passengers to, from and through the port. It shall further be the special duty of such port authority:

(1) To confer with any similar body created under laws of any state embracing within its boundaries any part of any port or harbor of which the port district forms a part,