

CHAPTER 821—H. F. No. 1693

An act relating to expenses of sheriffs and other officers incurred in conveying certain persons to facilities operated by the department of corrections; amending Minnesota Statutes 1961, Section 242.13.

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

Section 1. Minnesota Statutes 1961, Section 242.13, is amended to read:

242.13 Youth conservation; prisoner committed to commission, probation. After a certificate has been filed with the clerk of the district court of any county, as provided in section 242.11, and except as hereinafter provided, the district court of such county shall commit to the commission every person convicted of a felony or gross misdemeanor, who is found to be less than 21 years of age at the time of his apprehension and who is not sentenced to imprisonment for life, or in a county jail for 90 days or less, or to a fine only. This commitment shall be for the maximum term provided by law for the crime for which the person was convicted. Such clerk of court shall deliver to the sheriff a certified commitment in duplicate directing him to deliver such person to the director of the commission. Upon delivery of any such person, the director shall retain the duplicate certified commitment and endorse his receipt upon the original certified commitment which shall be filed in the court of commitment. In each such proceeding the court shall allow and order paid to the sheriff the sum of ~~\$5~~ *\$10* per day for each authorized assistant and disbursements for the travel, board, and lodging of such person, of himself, and authorized assistants. Upon such order the state auditor shall issue a warrant on the state treasurer for the payment thereof. Execution of sentence may be stayed by the court and the defendant placed on probation. This probation shall not be granted until an investigation and report shall have been made by the probation officer of the court, if there is one, otherwise to the extent that its facilities permit, by the commission concerning the advisability thereof; but the granting or denial and the terms of probation shall be within the discretion of the court. If probation is granted, the court in its discretion may place the defendant under the supervision of the commission, providing the commission consents. Otherwise, such probation may be granted pursuant to law without regard to this section.

Approved May 22, 1963.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.