

subject the tenant to damages of twice the deposit and forfeiture of any interest due on the deposit in addition to any actual damages Any tenant who remains in violation of this subdivision after written demand and notice of this subdivision shall be liable to the landlord for damages in an amount equal to the portion of the deposit which the landlord is entitled to withhold under subdivision 3 other than to remedy the tenant's default in the payment of rent, plus interest on the deposit as provided in subdivision 2, as a penalty, in addition to the amount of rent withheld by the tenant in violation of this subdivision .

Approved May 26, 1977.

CHAPTER 281—H.F.No.914

An act relating to human services; providing certain services to juveniles; clarifying the authority of the juvenile court; amending Minnesota Statutes 1976, Sections 260.311, Subdivisions 1, 3 and 5; and 402.02, Subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 260.311, Subdivision 1, is amended to read:

260.311 HUMAN SERVICES; JUVENILES; CORRECTIONAL SERVICES; PROBATION OFFICERS. Subdivision 1. **APPOINTMENT; JOINT SERVICES; STATE SERVICES.** If a county or group of counties has established a human services board pursuant to chapter 402, the juvenile court may appoint one or more probation officers as necessary to perform court services, and the human services board shall appoint persons as necessary to provide correctional services within the authority granted in chapter 402. In all counties of more than 200,000 population, which have not organized pursuant to chapter 402, the juvenile 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 county courts in one of the following ways:

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

(2) Two or more county courts or county court districts through their county boards may jointly appoint common salaried probation officers to serve in the several counties;

(3) A county may request the commissioner of corrections to furnish probation services to its county court in accordance with the provisions of this section, and the commissioner of corrections shall furnish such services to any county that fails to provide its own probation officer by one of the two procedures listed above;

(4) All probation officers serving the juvenile courts on July 1, 1972 shall continue to serve in the county or counties they are now serving.

Changes or additions indicated by underline deletions by strikeout

Sec. 2. Minnesota Statutes 1976, Section 260.311, Subdivision 3, is amended to read:

Subd. 3. **POWERS AND DUTIES.** All probation officers serving county courts shall act under the orders of the court in reference to any person 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 person 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 person 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.

All probation officers serving county courts shall, in addition, provide probation and parole services to wards of the corrections board resident in the counties they serve, and shall act under the orders of said board in reference to any ward committed to their care by the board.

All probation officers serving county courts shall, under the direction of the ~~court~~ authority having power to appoint them, initiate programs for the welfare of persons coming within the jurisdiction of the court to prevent delinquency and crime and to rehabilitate within the community persons who come within the jurisdiction of the court and are properly subject to efforts to accomplish prevention and rehabilitation. They shall, under the direction of the court, cooperate with all law enforcement agencies, schools, child welfare agencies of a public or private character, and other groups concerned with the prevention of crime and delinquency and the rehabilitation of persons convicted of crime and delinquency.

All probation officers serving county courts shall make monthly and annual reports to the corrections board, 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 corrections board.

Sec. 3. Minnesota Statutes 1976, Section 260.311, Subdivision 5, is amended to read:

Subd. 5. **REIMBURSEMENT OF COUNTIES.** In order to reimburse the counties for the cost which they assume under Laws 1959, Chapter 698, of providing probation and parole services to wards of the corrections board and to aid the counties in achieving the purposes of this section, the commissioner of corrections shall annually, from funds appropriated for that purpose, pay 50 percent of such costs to all counties of not more than 200,000 population. Nothing herein shall be deemed to invalidate any payments to counties made pursuant to this section before the effective date of Laws 1963, Chapter 694. Reimbursement shall be made only for probation officers' salary costs. Salary costs include fringe benefits, but only to the extent that fringe benefits do not exceed those provided for state civil service employees. Salary costs shall not be reimbursed unless county probation officers are paid salaries commensurate with the salaries paid to comparable positions in the classified service of the state civil service. The salary range to which each county probation officer is assigned shall be determined by the ~~judge of~~

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juvenile court authority having power to appoint probation officers, and shall be based on the officer's length of service and performance. The judge of juvenile court appointing authority shall annually assign each county probation officer to a position on the salary scale commensurate with the officer's experience, tenure, and responsibilities. The judge shall file with the county auditor an order setting each county probation officer's salary. Time spent by a county probation officer as a court referee shall not qualify for reimbursement. Reimbursement shall be prorated if the appropriation is insufficient.

Sec. 4. Minnesota Statutes 1976, Section 402.02, Subdivision 2, is amended to read:

Subd. 2. A human services regional commission shall possess all the powers and duties now assigned by law to:

(a) Manage the existing public resources devoted to human services delivered or purchased by the counties, which are subsidized or regulated by the departments of corrections, health, and public welfare;

(b) Employ staff to carry out the purposes of sections 402.01 to 402.10;

(c) Deliver services directly, or through contract with other governmental or nongovernmental providers;

(d) Develop a plan for the delivery of human services, which shall include ~~court~~ corrections services, public health services, public assistance, mental retardation services, social services, mental health services, and others of similar classification, and shall show evidence of participation in the development of the plan by major private sector providers of related services;

(e) Receive and expend for the purposes of sections 402.01 to 402.10 funds from the departments of corrections, health and public welfare, or from any other lawful source, including any governmental source.

Approved May 26, 1977.

CHAPTER 282—H.F.No.916

[Coded in Part]

An act relating to welfare; child support; authorizing additional procedures in collection of support payments; updating uniform reciprocal enforcement of support act; amending Minnesota Statutes 1976, Sections 256.87, Subdivision 1; 256.872; 256.873; 257.253; 257.254; 257.257; 257.259; 257.261, Subdivision 1; 257.29; 393.07, Subdivision 9; 393.11; 487.19, Subdivision 1; 518.41; 518.42, Subdivisions 2, 5, 7, 8, 9, and by adding subdivisions; 518.45, Subdivisions 2, 4 and 5; 518.46, Subdivisions 2, 3 and 4; 518.48; 518.49; 518.551; and Chapter 518, by adding a section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

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