

CHAPTER 325—H. F. No. 356

An act to amend Mason's Minnesota Statutes of 1927, Section 9657, relating to damages for wrongful death.

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

Section 1. Damages for wrongful death.—Mason's Minnesota Statutes of 1927, Section 9657 is hereby amended so as to read as follows:

"9657. When death is caused by the wrongful act or omission of any person or corporation, the personal representative of the decedent may maintain an action therefor if he might have maintained an action, had he lived, for an injury caused by the same act or omission. The action may be commenced within two years after the act or omission. The damages therein cannot exceed \$10,000.00, and shall be for the exclusive benefit of the surviving spouse and next of kin, to be distributed to them in the same proportion as personal property of persons dying intestate; but funeral expenses, and any demand for the support of the decedent, duly allowed by the probate court, shall first be deducted and paid. Provided, that if an action for such injury shall have been commenced by such decedent, and not finally determined during his life, it may be continued by his personal representative for the benefit of the same persons and for recovery of the same damages as herein provided, and the court on motion may make an order, allowing such continuance, and directing pleadings to be made and issues framed conformably to the practice in action begun under this section."

Sec. 2. Effective July 1, 1935.—This act shall be in force from and after July 1, 1935.

Approved April 29, 1935.

CHAPTER 326—H. F. No. 379

An act to amend Mason's Minnesota Statutes of 1927, Section 8683, relating to the duties and powers of the board of control in regard to financial aid for dependent children and providing for allowances out of state and federal funds to assist in the support of dependent children and authorizing the state board of control to accept the provisions of the "Society Security Act" when and as the same is enacted by the Congress of the United States and to make and enforce certain regulations with respect thereto.

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

Section 1. **Financial aid for dependent children.**—That Section 8683 of Mason's Minnesota Statutes of 1927 be and the same is hereby amended so as to read as follows:

"8683. The State Board of Control shall supervise and direct the administration of all laws of this state dealing with the granting of financial aid to dependent children and to the mothers thereof. It shall make such rules and regulations as to it seem fitting and proper to promote efficiency and uniformity in said administration and as may be necessary in the securing of such reports as shall be necessary to carry out the purposes of this Act and to comply with the rules and regulations of the Social Security Board of the United States as prescribed in the Social Security Act of the United States and it shall have the power and authority to withhold financial assistance from any political subdivision of the state which fails to comply with its rules and regulations and with the requirements of said Social Security Act. It shall have power to accept the provisions of the Social Security Act and signify its acceptance by a resolution duly adopted and certify the same over the signature of its chairman to the Social Security Board of the United States. All contributions received by the State of Minnesota or the State Board of Control under the authority of Title IV of the Social Security Act of the United States entitled "Grants to States for Aid to Dependent Children" shall be paid to the treasurer of the State of Minnesota and shall be disbursed only upon warrants drawn upon said fund by the state auditor pursuant to the provisions of this Act. It shall make such reports to the Social Security Board as may be required from time to time. It shall advise and cooperate with courts and supervise and direct county child welfare boards with respect to methods of investigation, oversight and record keeping; shall devise and recommend blank forms; may by its agents visit and inspect families and children to which allowances have been made whenever it deems it necessary; shall have access to all records and other data kept by court and other agencies of all political subdivisions concerning such allowances and shall require such reports from the Clerks of Courts, Child Welfare Boards, Probation Officers, and other official investigators as it shall deem necessary.

The State Board of Control shall grant to any individual, whose claim with respect to aid for a dependent child is denied an opportunity for a fair hearing before said Board, and to that end it may take testimony, require the production of

the files and records of such administrative boards and courts as may be material. It shall make and establish uniform rules and regulations governing such hearings.

Financial assistance shall not be denied for any child who is a resident of this state and who has resided in the state for one year immediately preceding the application for such financial assistance or which child was born within the state within one year immediately preceding the application for such financial assistance if the condition and situation of such child satisfies the other requirements made necessary by the laws of this state; notwithstanding any provisions of the laws of this state to the contrary."

Sec. 2. County Auditor to certify amount paid out.—That a section to be known as 8683-1 be added to Section 8683, Mason's Minnesota Statutes of 1927 to read as follows:

"8683-1. The State Board of Control shall by regulation require each county auditor of each county in the state at such times as to it seem fitting and proper to certify under oath, in duplicate, to the state auditor and the State Board of Control the amount paid out by said county during such period as the State Board of Control shall designate for allowances under Section 8671-8689, Mason's Minnesota Statutes of 1927 as amended; and if the said county shall have complied with the rules and regulations of the State Board of Control with respect to said allowances and with respect to, furnishing reports required by the State Board of Control, and if the State Board of Control shall approve the same, it shall cause its approval to be endorsed by its chairman upon said report and shall so certify to the state auditor and shall make a further certificate to the state auditor showing the amount of money received by the State of Minnesota from the United States of America as its contribution by reason of the expenditures made or anticipated by said county, whereupon the state auditor shall draw his warrant to the county treasurer of said county for said amount out of said fund and whereupon the state auditor shall further draw his warrant to the county treasurer of said county for a like amount payable out of the monies hereinafter appropriated for such purpose but said reimbursement, out of the monies hereinafter appropriated, shall in no event exceed one-third of the amounts expended by said county."

Sec. 3. To be dependent on federal aid.—That a section to be known as Section 8683-2 be added to Section 8683, Mason's Minnesota Statutes of 1927, to read as follows:

"8683-2. In the event that the federal government makes available a sum of money to the State of Minnesota that will pay, not to exceed one-third of the amount paid by each county, for the support of dependent children under the provisions of this act, then, in that event and not otherwise, there is hereby appropriated the sum of \$150,000 per annum which sum shall be used for state administration and state participation in support for dependent children, not more than \$25,000 per annum of which said sum shall be used for administration expense, and the balance of said sum shall be distributed to the counties of the state in proportion to the amount of money which each county shall have paid for support of dependent children, not however including the administration expenses of such county."

Approved April 29, 1935.

CHAPTER 327—H. F. No. 426

An act to amend Laws 1929, Chapter 433, Section 4, relating to licensing of chauffeurs.

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

Section 1. **Licensing chauffeurs.**—Laws 1929, Chapter 433, Section 4, is hereby amended so as to read as follows:

"Sec. 4. All chauffeurs' licenses issued hereunder shall expire at midnight on December 31 of the year for which it is issued, but may be renewed without examination, but no renewal of a license issued before November 1, in any year shall be granted unless application for such renewal is made during the month of November of the year for which the license was issued; *provided, however, that such license may be renewed at any time within 30 days after the expiration thereof without examination upon payment of the regular license fee and an additional charge of one dollar as penalty.*"

Approved April 29, 1935.

CHAPTER 328—H. F. No. 461

An act to amend Mason's Minnesota Statutes of 1927, Section 3347, as amended by Laws 1929, Chapter 148, relating to taxation of insurance companies.