

ing an established place of business for the sale, trade and display of new and unused motor vehicles and having in its, his or their possession new and unused motor vehicles for the purpose of sale or trade."

Approved April 26, 1941.

CHAPTER 466—S. F. No. 200

An act amending Mason's Minnesota Statutes, 1940 Supplement, Sections 3199-13, 3199-15, 3199-18, 3199-20, 3199-28 and 3199-30, relating to old age assistance.

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

Section 1. **Law amended.**—The 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 3199-13, is hereby amended so as to read as follows:

"3199-13. Duties of state agency.—The state agency shall:

"(a) Supervise the administration of old age assistance by the county agencies under this act.

"(b) Make uniform rules and regulations, not inconsistent with law, for carrying out and enforcing the provisions of this act in an efficient, economical and impartial manner, and to the end that the old age assistance system may be administered uniformly throughout the state, having regard for varying costs of living in different parts of the state, and in all things to carry out the spirit and purpose of this act. Such rules and regulations shall be *made by the Director of the Division of Social Welfare, with the approval of the Attorney General as to form and legality, and shall be furnished immediately to all county agencies and shall be binding on such county agencies.*

"(c) Prescribe the form of, print, and supply to the county agencies, blanks for applications, reports, affidavits and such other forms as it may deem necessary or advisable, and establish a uniform system of accounting.

"(d) Cooperate with the Federal Social Security Board, created by Title 7 of the Social Security Act, Public No. 271, enacted by the 74th Congress of the United States and approved August 14, 1935, in any reasonable manner as may

be necessary to qualify for federal aid for assistance including the making of such reports in such form and containing such information as the Federal Social Security Board may from time to time require, and comply with such provisions as such board may from time to time find necessary to assure the correctness and verifications of such reports.

“(e) Within 60 days after June 30, 1936, and within 60 days after the close of each fiscal year thereafter, prepare and print for said fiscal year a report which shall include a full account of the operation of this act, the expenditure of all funds under this act, adequate and complete statistics divided by counties, concerning all old age assistance within the state, and such other information as it may deem advisable.

“(f) Prepare and release a summary statement monthly showing by counties the amount paid under this act, the total number of persons assisted, and the total administrative cost of the state agency.

“(g) Furnish information to acquaint aged persons and the public generally with the old age assistance plan of this state.

“(h) *Cooperate with other state agencies in establishing reciprocal agreements to provide for payment of old age assistance to recipients who have moved from Minnesota to another state, consistent with the provisions of this act.*”

Sec. 2. Law amended.—The 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 3199-15, is hereby amended so as to read as follows:

“3199-15. **Who shall be eligible to old age pension.**—(a) Any resident of this state who shall comply with the provisions of this act shall be eligible for old age assistance while continuing to reside in this state. Temporary absences from the state may be allowed a recipient in accordance with regulations established by the state agency.

“(b) The amount and manner of payment of old age assistance shall be fixed with due regard to the conditions of each case and shall be an amount which, when added to the net income of the applicant, including subsistence or service reasonably available to him, *less such portion of applicant's income as is reasonably necessary for the support of needy dependents of such applicant, which deduction shall not exceed an allowance as such dependents would otherwise be entitled*

to receive for direct relief, does not exceed a maximum of \$30.00 per month, subject, however, to the following:

“(1) The annual income of any property which is not so utilized as to produce reasonable returns shall be deemed to be the net income which would be available if the property were suitably used. Due consideration shall be given to the current or prevailing conditions affecting the use of such property.

“(2) *An amount not to exceed \$100 received during a calendar year as gifts or as a result of personal labor may be excluded, in the discretion of the county agency, in determining the amount of the old age assistance grant.*

“(c) While a recipient is receiving old age assistance, he shall not receive any other relief from the state or from any political subdivision thereof, except for medical, dental, surgical or hospital assistance, or nursing care.”

Sec. 3. **Law amended.**—The 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 3199-18, is hereby amended so as to read as follows:

“3199-18. **Who may not receive old age assistance.**—No old age assistance shall be paid to a person:

“(a) While or during the time he is an inmate of, and receives gratuitously all the necessities of life from any public charitable, custodial or correctional institution maintained by the United States, or any state or any of the political subdivisions of the state; provided, in the case of temporary medical or surgical care in a hospital or infirmary, part or all of any old age assistance may be paid at the discretion of the county agency subject to rules and regulations made by the state agency;

“(b) If the net value of his property or the net value of the combined property of husband and wife exceeds \$5,000; or if the net value of his assets convertible into cash exceeds \$300 or the combined convertible assets of husband and wife exceed \$450. *The county agency in its discretion may permit eligibility of an applicant having liquid assets in excess of this amount when the liquidation of the assets would cause undue loss;* provided, however, that household goods and furniture in use in the home, wearing apparel and a lot in the burial ground may be owned in addition to the property limitation provided in this subsection.

“(c) Who has after the passage of this act or within two years prior thereto deprived himself, directly or indi-

rectly, of any property for the purpose of qualifying for old age assistance;

“(d) Whose spouse, living with said person, has made an assignment or transfer, directly or indirectly, of any property for the purpose of qualifying either person for old age assistance under this act.”

Sec. 4. Law amended.—The 1940 Supplement to Mason’s Minnesota Statutes of 1927, Section 3199-20, is hereby amended so as to read as follows:

“3199-20. **Shall make investigation.**—The county agency shall promptly make or cause to be made such investigation as it may deem necessary; the object of such investigation shall be to ascertain the facts supporting the application made under this act and such other information as may be required by the rules of the state agency. Upon the completion of such investigation, the county agency shall promptly decide upon the application, and fix the amount of old age assistance, if any, and issue to each applicant to whom old age assistance is allowed, a certificate stating the date upon which old age assistance payments shall commence and the amount of each installment, which shall be paid monthly.”

Sec. 5. Law amended.—The 1940 Supplement to Mason’s Minnesota Statutes of 1927, Section 3199-28, is hereby amended so as to read as follows:

“3199-28. **May be paid to legal guardians.**—*All payments of old age assistance must be issued to the recipient except in those instances in which a legal guardian has been appointed by the court having jurisdiction to make such appointments.*”

Sec. 6. Law amended.—The 1940 Supplement to Mason’s Minnesota Statutes of 1927, Section 3199-30, is hereby amended so as to read as follows:

“3199-30. **Shall file reports.**—Each recipient shall file such reports with the county agency as the county agency or the state agency may from time to time require. *The county agency may modify, suspend or cancel any old age assistance certificate issued to any recipient, on the basis of findings obtained during investigations by a representative of such county agency. If on inquiry it appears that a certificate which was suspended pending inquiry, was properly obtained, the suspended installment shall be payable in due course. Any old age assistance paid in excess of the amount due shall be returned to the county and may be recoverable as a debt due the county.*”

Approved April 26, 1941.