

school facilities are available is regularly attending school, if physically able and above the minimum school age, or who is under compulsory school age, or who is physically unable to attend school, or who is over compulsory school age, but through physical or mental disability is unable to be employed, or who is over compulsory school age and unemployed; but where further schooling is inadvisable in the opinion of the county agency and his unemployment is without fault on his part, and who is found to be deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent, and whose relatives, liable under the law for his support, are not able to provide, without public assistance, adequate care and support of such child, and who is living with his *father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, or aunt* in a place of residence maintained by one or more of such relatives as his or their home.

D. **Continued absence from the home.**—“(d) ‘Continued absence from the home’ as used in this act means the absence from the home of the parent, whether or not entitled to the custody of the child, by reason of being an inmate of a penal institution under a sentence which will not terminate within three months after the date of application for assistance under this act, or a fugitive after escape therefrom, or absence from the home by the parent for a period of at least three months continuous duration together with failure on the part of the absent parent to support the child, provided that reasonable efforts have been made to secure support for such child from the defaulting parent, and, if such child shall have been abandoned in this state, that a warrant for arrest shall have been issued for such abandonment.”

Filed February 1, 1943.

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## CHAPTER 7—H. F. No. 162

(AMENDING SECTIONS 256.13 AND 256.73 MINNESOTA STATUTES 1941.)

*An act relating to aid to dependent children and to amend Mason's Supplement 1940, Sections 8688-4; and 8688-6.*

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

Section 1. **Law amended—State Agency—duties.**—Mason's Supplement 1940, Section 8688-4, is hereby amended so as to read as follows:

"The State Agency shall:

"(a) Supervise the administration of assistance to dependent children under this Act by the county agencies in an integrated program with other service for dependent children maintained under the direction of the State Agency;

"(b) May subpoena witnesses and administer oaths, make rules and regulations, and take such action as may be necessary or desirable for carrying out the provisions of this Act. All rules and regulations made by the State Agency shall be binding on the counties and shall be complied with by the respective county agencies;

"(c) Establish adequate standards for personnel employed by the counties and the State Agency in the administration of this Act and make the necessary rules and regulations to maintain such standards;

"(d) Prescribe the form of and print and supply to the county agencies blanks for applications, reports, affidavits, and such other forms as it may deem necessary and advisable;

"(e) Cooperate with the Federal Government and its public welfare agencies in any reasonable manner as may be necessary to qualify for federal aid for aid to dependent children and in conformity with the provisions of this Act; including the making of such reports in such forms 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 verification of such reports; and

"(f) *May cooperate with other state agencies in establishing reciprocal agreements in instances where a child receiving aid to dependent children moves or contemplates moving into or out of the state, in order that such child may continue to receive supervised aid from the state from which he has moved until he shall have resided for one year in the state to which he has moved; and*

"(g) Make an annual report to the Governor not later than four months after the close of each fiscal year showing for such year the total amount paid under this Act, the total number of persons assisted, and such other particulars as it may deem advisable."

Sec. 2. **Law amended—Who entitled to assistance.**—Mason's Supplement 1940, Section 8688-6, is hereby amended so as to read as follows:

"Assistance shall be given under this Act to any dependent child who:

"(a) Has resided in the state for one year immediately preceding the application for such assistance; or was born *of a mother who has so resided*; and whose mother, if she be the applicant, is a citizen of the United States or has declared her intention to become such a citizen. The county responsible for the payment of assistance under this Act shall be the county in which said child has resided for the year preceding the application for assistance; provided, however, that if said child has not resided continually in any one county for the year preceding said application, then the county in which said child has resided for the longest period of time during said year shall be responsible for the payment of assistance under this Act, subject to the provisions of *Mason's Supplement 1940, Section 8688-13*.

"(b) Is living in a suitable home conducted by a family having as far as practicable the same religious faith as the family of the child and meeting the standards of care and health fixed by the laws of this state and rules and regulations of the state agency thereunder.

"(c) The ownership by a father or mother of property as follows shall be a bar to any allowance under this Act:

"(1) Personal property of a reasonable market value in excess of \$300.00, exclusive of appropriate clothing and necessary household furniture and equipment, and of such tools, implements, and domestic animals as in the opinion of the county agency it is expedient to retain for the purpose of reducing the expense or increasing the income of the family; or

"(2) Real estate not used as a home, provided that if such real estate does not produce net income sufficient to meet the family budget and there is no available market for the sale of such property, or if the price which can be obtained on the prevailing market is not fair and reasonable considering the applicant's interest therein and the possibilities of sale of said property for a greater amount within a reasonable length of time thereafter then, in that event, in the discretion of the county agency, ownership of the same shall not be a bar to an allowance under this Act. Net income shall be the residue after payment from gross income of taxes, insurance, maintenance, and interest on encumbrances, if any, on the property, provided that in computing net income the gross income shall not be charged with any expenses toward betterment of the property as improvements or by payment on the principal of a mortgage; provided, further, that the net income thus derived shall be applied on the family budget."

Filed February 1, 1943.