

CHAPTER 199—S. F. No. 97

An act relating to old age assistance; amending Minnesota Statutes 1949, Section 256.15, Subdivision 2.

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

Section 1. Minnesota Statutes 1949, Section 256.15, Subdivision 2, is hereby amended to read:

256.15. Subd. 2. **Payment.** The manner and amount of old age assistance payments shall be fixed with due regard to the conditions in each case in accordance with the rules and regulations of the state agency, but in no case shall it be an amount which, when added to the net income and resources available to the support and care of the applicant, exceeds a total of \$55 a month, which amount shall be increased to not to exceed \$60 per month whenever the federal government makes aid available to the states for old age assistance with respect to such increased maximum, except for medical, dental, surgical, hospital, nursing, or licensed *nursing* home care, subject 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 such old age assistance.

Approved March 30, 1951.

CHAPTER 200—H. F. No. 39

(Not Coded)

An act relating to unlawful detainer actions and to the issuance of writs of restitution therein in certain cases during

an emergency declared to exist, and amending Laws 1949, Chapter 224, Sections 1 and 5.

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

Section 1. Laws 1949, Chapter 224, Section 1, is amended to read:

Section 1. **Unlawful detainer; writ of restitution, stay; declaration of emergency.** The legislature hereby finds that a serious public emergency exists in the housing of a considerable number of persons in the State of Minnesota, which emergency has been created by the recent wars, the effects of those wars, and the aftermath of hostilities; that this emergency has produced an acute shortage in housing accommodations; that, while a measure of protection is furnished to tenants of housing accommodations by existing federal laws and regulations, a large number of evictions have been and are taking place which are lawful under those federal laws and regulations but which have caused and are causing extreme hardship in numerous cases by reason of the fact that the persons so evicted are unable to secure other housing accommodations and the lives and health of those persons are imperiled; that this condition will continue during the next several months; that the present laws relating to unlawful detainer permit the immediate issuance and execution of writs of restitution except in cases of appeal; that the remedy by appeal is not sufficient because in many cases the evicted person is unable to furnish bond, or, if able to furnish bond, is required, in order to secure a stay, to take an appeal which may be groundless, thereby burdening the courts and causing needless expense to the public; that, by reason of the foregoing, the public health, safety and welfare are imperiled, and action by the legislature under the police power of the state is imperative; and that the provisions of this act are, therefore, necessary and designed to protect the public health, safety and general welfare.

Sec. 2. Laws 1949, Chapter 224, Section 5, is amended to read:

Sec. 5. **Expiration.** This act shall remain in effect up to and including April 15, 1953.

Approved April 2, 1951.