

511 of the Laws of Minnesota for 1941, located in any county which, at the time of the enactment of this act, has an assessed valuation of not less than \$1,200,000 and not more than \$2,200,000 and having an area of not less than 1,375 square miles and not more than 2,200 square miles, and having a population according to the 1950 federal census figures of not less than 2,800 inhabitants and not more than 8,500 inhabitants, may upon recommendation of the county board be released from such withdrawal from sale and dedication by order of the commissioner of conservation. The commissioner shall transmit a certified copy of such order to the county auditor who shall note the same upon his records and record the same with the register of deeds. Thereupon, the title to said land shall be held by the state in trust in favor of the taxing districts in like manner as if said lands had not been withdrawn from sale. Thereafter said land may be repurchased as provided in Minnesota Statutes, Section 282.35, within one year from the date of recording such order, notwithstanding any limitation upon the time of repurchase therein, provided further such repurchase shall be subject to any easement, lease or other encumbrance granted by the State prior thereto.

Section 2. The authority granted by this act shall expire on January 1, 1954.

Approved April 22, 1953.

CHAPTER 639—H. F. No. 1390

An act relating to aid to dependent children; amending Minnesota Statutes 1949, Section 256.12, Subdivision 15, as amended; section 256.73, as amended; section 256.87.

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

Section 1. Minnesota Statutes 1949, Section 256.12, Subdivision 15, as amended by Laws 1951, Chapter 229, Section 1, is amended to read:

Subd. 15. **Continued absence from the home.** "Continued absence from the home," as used in sections 256.71 to 256.87, 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 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 prior to the granting of such aid all reasonable efforts

have been made to secure support for such child from the defaulting parent, and, provided, further, that no child which shall have been abandoned in this state shall continue eligible for such aid unless a warrant for arrest for such abandonment shall have been issued under the laws of this state, either prior to the application for aid or as soon thereafter as legally possible, and in any event within a period of not more than 120 days from the date of such application *except in the event that a proceeding under Chapter 122, Laws of 1951 shall have been commenced, the issuance of a warrant for arrest for such abandonment may be stayed for a period of not more than 120 days.*

Sec. 2. Minnesota Statutes 1949, Section 256.73, as amended by Laws 1951, Chapter 229, Section 2, is hereby amended to read:

256.73 Assistance, recipients. Subdivision 1. **Dependent children.** Assistance shall be given under sections 256.72 to 256.87 to or on behalf of any dependent child who:

(1) has resided in the state for one year immediately preceding the application for such assistance; or who was born within one year immediately preceding the application, if the parent or other relative with whom the child is living has resided in the state for one year immediately preceding the birth; or *a dependent child who has come to the State of Minnesota from another state which has no residence requirements;*

(2) 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.

Subd. 2. Property owned, bar to allowance. The ownership by father, mother, child, children, or any combination thereof, of property as follows shall be a bar to any allowance under sections 256.72 to 256.87:

(1) *Real estate used as a home the market value of which less encumbrances exceeds \$7,500; provided that real estate used as a home in excess of this amount will not be a bar to eligibility where the county welfare board determines that such real estate is not available for support of the family.*

(2) Personal property of a reasonable market value in excess of \$300 for one child recipient or \$500 for more than one child recipient, exclusive of personal property used as the home, 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

(3) 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 sections 256.72 to 256.87. 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, that the net income thus derived shall be applied on the family budget.

Sec. 3. Minnesota Statutes 1949, Section 256.87, Subdivision 1, is amended to read:

256.87 Limitations, rights. Subdivision 1. **Actions not limited.** *If at any time during the continuance of any assistance granted under sections 256.72 to 256.87 the state agency or county agency finds that any parent, grandparent, sister, or brother of any child receiving assistance is reasonably able to contribute to the necessary care and support of such recipient without undue hardship to himself or his immediate family and such person so able to contribute to the care and support of such recipient fails or refuses to contribute according to his ability to the care and support of such recipient, then, after notice to such person, there shall exist a cause of action against this person for such amount of assistance furnished under sections 256.72 to 256.87 subsequent to such notice, or such part thereof as such person is reasonably able to pay. The action may be ordered by the state agency or county agency and shall be brought in the name of the county by the county attorney of the county in which such assistance was granted, or by the state agency against this person for the recovery of such amount of assistance granted after such notice, as hereinbefore provided, together with the costs and disbursements of such action.*

Approved April 22, 1953.
