

bate court, *the court commissioner*, or any judge of the district court of the county in which the application is made, may authorize the license to be issued at any time before the expiration of the five days. If any person intending to marry shall be under the age of 21, if a male, and under the age of 18, if a female, and shall not have had a former husband or wife, such license shall not be issued unless the consent of the parents or guardians *or the parent having the actual care, custody and control of said party or parties*, shall be given under the hand of such *parent*, parents or guardian and duly verified by an officer duly authorized to take oaths and duly attested by a seal, where such officer has a seal. *Provided, that if there be no parent or guardian having the actual care, custody and control of said party or parties, then the judge of the probate court, the court commissioner, or any judge of the district court in the county where the application is pending may, after hearing, upon proper cause shown, make an order allowing the marriage of said party or parties.* The clerk shall collect from the applicant a fee of \$3 for administering the oath, and issuing, recording, and filing all papers required. If the license should not be used within the period of 6 months due to illness or other extenuating circumstances, it may be surrendered to the clerk for cancellation, and in such case a new license shall issue upon request of the parties to the original license without fee therefor. Any clerk who shall knowingly issue or sign a marriage license in any other manner than in this section provided shall forfeit and pay for the use of the parties aggrieved not to exceed \$1,000.

Approved April 23, 1955.

CHAPTER 763—S. F. No. 401

An act relating to assistance to dependent children; amending Minnesota Statutes 1953, Section 256.74.

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

Section 1. Minnesota Statutes 1953, Section 256.74, is amended by adding a subdivision to read:

[Subd. 3.] **Funeral expenses, payment.** *On the death of a dependent child, the county agency may pay an amount for reasonable funeral expenses, not exceeding \$150. No funeral expenses shall be paid if the estate of the deceased is sufficient to pay such expenses, or if the person or persons who were legally responsible for the support of the deceased dur-*

ing his or her lifetime are able to pay such expenses, provided that the additional payment or donation of the cost of the cemetery lot, interment, religious services, or for the transportation of the body into or out of the community in which the deceased resided, shall not limit the payment by the county agency as herein authorized. Provided further that freedom of choice in the selection of a funeral director shall be granted to persons lawfully authorized to make arrangements for the burial of any such deceased recipient. In determining the sufficiency of such estate due regard shall be had for the nature and marketability of the assets of the estate. The county agency may grant funeral expenses where the sale would cause undue loss to the estate.

Sec. 2. [Subd. 4] County to first pay funeral expenses. *All funeral expenses paid under section 256.74 shall, in the first instance, be paid by the county in which the deceased received aid to dependent children; and the state shall reimburse the county for 50 percent of the payments made for reasonable funeral expenses from state funds.*

Approved April 23, 1955.

CHAPTER 764—S. F. No. 428

[Coded]

An act relating to the state employees retirement association and providing for a service allowance for former members thereof.

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

Section 1. [352.21.] Former members, service allowances. Former members of the State Employees Retirement Association having ten or more years of allowable service credit as members thereof who made their applications for retirement benefits prior to July 1, 1949, shall receive a service allowance of \$5 per year for each full year of allowable service, which shall be added to their annuity payments, provided this act will not increase the retirement benefit of any person entitled to receive the maximum retirement allowable at the time of his retirement.

Sec. 2. Appropriation. The moneys necessary for the payment provided for in section 1 hereof are hereby appropriated from the State Employees Retirement Fund.

Sec. 3. This act shall take effect July 1, 1955.

Approved April 23, 1955.