

## CHAPTER 171—S. F. No. 403

*An act relating to the legal settlement of paupers; amending Minnesota Statutes 1957, Section 261.07.*

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

Section 1. Minnesota Statutes 1957, Section 261.07, is amended to read:

**261.07 Legal settlement of paupers.** Subdivision 1. Every person except those hereinafter mentioned, who has resided *one year* continuously in any county, shall be deemed to have a settlement therein, if it has the county system; if it has the town system, he shall have a settlement in the town, city, or village therein in which he has longest resided within *one year*. Every person who has resided *one year* continuously in the state, but not in any one county, shall have a settlement in the county in which he has longest resided within such *one year*, if it has the county system; if it has the town system, his settlement shall be in the town, city, or village therein in which he has longest resided within *one year*.

Subd. 2. The time during which a person has received old age assistance or aid to dependent children, or has been the inmate of a hospital, old age home, or nursing home for the care of the invalid or aged, or an institution, home or school for the mentally deficient, whether public or private, and the time during the pendency of any suit to determine his legal poor settlement, and the time during which a person has been an inmate of a poorhouse, jail, prison or other public institution, or under commitment to the guardianship of the commissioner of public welfare, or a private agency authorized by the commissioner to accept guardianship of children, or one of the state institutions as a mentally deficient, delinquent, or dependent person, and each month during which he has received relief from the poor fund of any county or municipality or from funds supplied by the state or the United States or any department or departments thereof, except a recipient of assistance under the aid to the blind act, supplied as direct relief or in providing work on a relief basis and in lieu of direct relief, shall be excluded in determining the time of residence hereunder.

Subd. 3. Every minor not emancipated and settled in his own right and not under guardianship of the commissioner of public welfare, or one of the state institutions as a feebleminded, delinquent, or dependent person shall have the same settlement as the parent with whom he has resided. Every child born in a state institution shall have a settlement

in the county in which the mother had a legal settlement at the time she was committed to such institution. Every minor not emancipated and settled in his own right and living apart from his parents and not supported by his parents shall, after receiving aid and support from others uninterruptedly for a period of *one year*, acquire the settlement of the person with whom he has resided for a period of not less than *one year*, provided that a married woman abandoned or deserted by her husband for a period of one year continuously shall thereafter have the same right to acquire a new settlement as a single person.

Subd. 4. The legal settlement of persons under commitment as *mentally ill, mentally retarded*, epileptic, or inebriate, insofar as such persons are subject to the provisions of reciprocity agreements between the state and other states, shall be gained upon a residence *equal in time to that* required for the gaining of legal settlement for poor relief purposes but shall otherwise be subject to the same conditions and exceptions.

Subd. 5. A settlement in this state shall be terminated and lost by:

- (1) Acquiring a new one in another state;
- (2) Voluntary and uninterrupted absence from this state for a period of one year with intent to abandon his residence in the state. The time during which a person has been committed to a public institution or hospital in a foreign state shall be excluded in determining the period of absence from the state. Such commitment shall not constitute an interruption of absence from the state.

Sec. 2. This act shall be effective on July 1, 1959, but the provisions of this act shall not apply in determining the legal settlement of any person who has received relief at any time between July 1, 1958, and July 1, 1959, until six continuous months shall have elapsed after July 1, 1959, during which he has received no relief, and during such time the provisions of law as they existed before this act shall apply in determining legal settlement of such person.

Approved April 3, 1959.

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CHAPTER 172—H. F. No. 792

[Coded]

*An act relating to the sale, or offering for sale, and transportation of screenings and weed-seed infested agricul-*